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OBSERVATIONS

ON THE STATE

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BY THE REV. A. O'CALLAGHAN, A. M.,

LATE MASTER OF THE COLLEGE OF KILKENNY, AND AUTHOR OF "THOUGHTS ON THE TENDENCY OF THE BIBLE SOCIETY," &c.

"*Woe unto them—that put bitter for sweet, and sweet for bitter.*"

ISAIAH V. 20.

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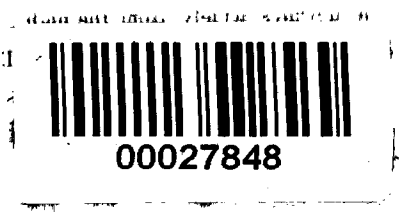

ADVERTISEMENT.

THE Writer of the following Observations ventures to lay before the British Public, without disguise, an honest transcript of his own feelings, and convictions, on a truly momentous subject. To serve his fellow-creatures is his wish; truth is his object; and, in its pursuit, he deviates widely from the high road to favour and preferment. The approbation of *any* party religious or political he can scarcely expect; but, by the honest and conscientious individuals of *every* party, he hopes to be, at least, *endured*.

PETER-PLACE, *Dublin*.

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OBSERVATIONS,

&c. &c.

CHAPTER I.

Unqualified Private Judgment, in expounding Scripture, disallowed by the Church of England, and other Protestant Churches, as well as by that of Rome.—Not the Principle of Protestantism, but quite repugnant to it.—What that Principle really is.—The Doctrine of unqualified Private Judgment repugnant to Reason, Analogy, History, and Experience—highly dangerous.

FROM one extremity of Ireland to the other, the unqualified exercise of private judgment, in the interpretation of Scripture, is held forth, by many professing Christians, as the great principle of Protestantism. The Bible Society proclaims it in every village, their female disciple in the drawing-room, and the tippling mechanic in the whisky-shop. The pragmatical and presumptuous of all ranks advance it with confidence, as an incontrovertible truth; many persons of real piety

yield it their conscientious assent; while others, who doubt or disallow it in private, apparently glide with the current of opinion, and are content to be silent, that they may be unmolested. Yet, this position so loudly asserted, and confidently maintained, is not true; it is one of those errors which float for ages on the surface of prejudice, while its tendency to sink is counteracted by the violent heavings of that unruly element.

But a little research will discover, that, so far from being the great principle of Protestanism, it is *in direct opposition to it*. The first Reformers, indeed, opposed their private judgment to the public judgment of the Church; and rejected in many instances, her interpretation of Scripture. But every revolution in the Church, as well as in the State, is a temporary violation of a principle of paramount importance—that of submission to legitimate authority. As this principle is the bond of every society, civil or religious, its temporary infringement can only be justified by extreme necessity; and the object of such infringement must be not to subvert, but to strengthen the principle itself, by removing the abuses, which, having taken shelter under its authority, were enfeebling it by rendering it odious. The soundness of the principle has been always recognised by the very authors of the Reformation, or Revolution, who, after having

ejected their monarch, or their clergy, have taken care to re-establish the authority of both, but placed it, generally, in different hands, and with suitable restrictions. The Reformers opposed, in their individual capacities, the encroachments, and imputed errors of the Church of Rome; they encountered her with their own interpretations of Scripture, and forced many of her strong holds; but as soon as they had reformed their respective Churches, they gave the sanction of ecclesiastical authority to the sentiments and doctrine previously deduced from Scripture, by private interpretation. They declared it to be the duty of the newly erected Protestant Church to instruct the faithful, and the duty of the faithful to submit to be instructed, and to derive their religious opinions from the Scriptures of truth, *through the medium* of their appointed teachers. Thus they re-established the rule of submission to authority, which necessity had compelled them to violate. Private judgment, in expounding the Word of God, was interdicted, as an unnecessary and dangerous guide, leading only to public discontent and spiritual anarchy. Its pretensions, however, though disallowed by the Church, have, in every period since the Reformation, been maintained by some learned or turbulent individuals; for what can subdue the pugnacious propensities of theologians, or check the wild flights of fanaticism?

But let us disregard the assertions of individual theologians however learned, and controversialists however dogmatical, and consult the public acts and authorized formularies of the united Church of England and Ireland. Let us appeal at once to the Thirty-nine Articles, which, as every one knows, were agreed upon by the archbishops, bishops, and the whole clergy assembled in convocation, and solemnly confirmed by the King. The twentieth article affirms that "the Church "hath power to *decree* rites or ceremonies and "*authority in controversies of faith:* and yet it is "not lawful for the Church to *ordain* any thing "that is contrary to God's Word written; neither "may it *expound* one place of Scripture that it "be repugnant to another. Wherefore, though "the Church be a witness and keeper of Holy "Writ, yet as it ought not to *decree* any thing "against the same, so besides the same ought it "not to *enforce* any thing to be believed for *ne*-"*cessity* of salvation." Here the Church *claims* not only the power of regulating the ritual and ceremonial part of religion, but also authority in determining *controversies of faith*, in "*expounding*" Scripture, and "*enforcing*" points of necessary belief, provided her *decrees*, her *ordinances*, and *enforcements* be agreeable to Holy Writ, as *expounded by herself*, but so expounded that no part be repugnant to another. Thus the Church authoritatively declares herself the arbiter of contro-

versy, and the interpreter of Scripture, from which, and from which alone, she claims the right not only of extracting and framing articles of faith for *all* individuals, whether lay or clerical, but of "enforcing" their acceptance. The public judgment of the Church is evidently set up, and the private judgment of individuals, however wise and learned, as evidently disallowed. For if the Church, exercising her own judgment on various passages of Scripture, expounding them in consistency with each other, (of which she herself is the sole judge,) and thus deriving from them the doctrines of the Christian religion—has a right not only to propound to the people the doctrines so extracted, but to enforce their reception—what room is left for the exercise of private judgment on doctrinal points? If the individual should understand the scriptural passages differently from the Church, and derive from them a *different doctrine, he is called upon to* suppress or renounce his own opinion, and submit to authority. If he interprets the texts in question as the Church does, he receives the doctrine, indeed, not, however, as the result of his own unassisted judgment, but as the decree of a power to which he is required to submit.

But let it be observed, that the Church did not only claim this authority, but *exerted it in the amplest manner.* All the great questions, whose

discussion had distracted the Christian world, since the time of the apostles, are summed up in the Thirty-nine Articles, while the Church declares *her own judgment*, on each question, according to *her own interpretation* of Scripture. She calls upon all to adopt *her own views* upon all the mysterious, and controverted points of faith—the Trinity, the eternal generation of the Son of God, the personality and procession of the Holy Ghost, original sin, free will, justification, predestination and election, &c. &c. Leaving nothing untouched, she gives a complete summary of Christian belief, grounded on her own exposition of the Scripture, for the benefit of "*all*" his Majesty's subjects, who are authoritatively required to adopt it, because the Convocation assures them it is "read in Scripture" or "may be proved by it." Thus the interpretation of the Bible by private judgment, on every vital point of religious belief, is virtually but completely interdicted. Let it also be observed, that this was done on the maturest deliberation. The Articles, which had been previously agreed upon by the Convocation in the year 1562, were "deliberately read, and con-
"firmed again, by the subscription of the hands
"of the Archbishops and Bishops of the upper
"house, and by the subscriptions of the whole
"clergy of the nether house in their convocation
"in the year of our Lord 1571."

It has been, however, asserted, or at least insinuated, that the Articles bind only the clergy, but not the laity. But see his Majesty's Declaration prefixed to the Thirty-nine Articles, which he ratifies and confirms as "supreme Governor of the Church." The preamble states that the object of the Articles is to conserve and maintain the Church in the *unity of true* religion, and in the *bond of peace*; and *not to suffer* unnecessary *disputations, altercations*, or *questions* to be raised, which may nourish *faction* both in the *Church* and *Commonwealth*. The Declaration itself follows, containing these decisive words: "the Articles of the Church "of England do contain the true doctrine of that "Church agreeable to God's word; which we do "therefore ratify and confirm, requiring ALL our "*loving subjects* to continue in the uniform pro-"fession thereof, and *prohibiting the least difference* "from the said Articles." And afterwards—"from "the settled continuance of the *doctrine* and dis-"cipline of the Church of England now esta-"blished, we will not endure *any varying or de-*"*parting in the least degree.*" Can any thing be conceived more hostile to the principle of private interpretation?

But the Church was not satisfied with a naked speculative assent to her Articles, on the part of the people, but took care to carry them into *practical operation*. Accordingly she has explained

at large many of them in her Homilies, which were *ordered to be read from the pulpit:* their substance is interwoven with every part of the liturgy; it is found in every prayer, in every act of thanksgiving; it is wrought into our creeds, our collects, and our litany; all our offices and church service are grounded upon it. So that it is impossible to renounce the Articles, without renouncing the Liturgy; or to use the Liturgy, without adopting the Articles; both exhibiting the same matter, both being perfectly consistent, both being extracted from the same Scriptures, by the same persons, and by the same *collective* judgment. Our Liturgy, including, of course, our Catechism, is confirmed by public authority. Thus the Church teaches us what to believe, what to pray for, how to pray, and to whom our prayers are to be addressed. She does not, with the Bible Society, say to the faithful, open the Bible, peruse it in the spirit of humility and piety, and you cannot fail to extract from it the pure doctrines of Christianity, by the exercise of your own judgment, without any human assistance. But she says, read the Bible with *unaffected* piety, and *real* humility. In every page, you will find much to exalt that piety, and improve the heart in which it dwells; you will there find mild and humane affections recommended with winning simplicity; angry, selfish, vindictive, and uncharitable feelings, uniformly reprobated; you will find the brand of God's wrath impressed

on every vice, and the stamp of his approbation affixed to every virtue—virtue, which even the heathen sages paint as beautiful, but which the Scriptures exhibit in brighter colours, as not only beautiful but heavenly. You will find precept confirmed by example—the Son of God mercifully condescending to become your fellow-creature, and, in that capacity, spending himself, even unto death, for his fallen brethren; the prophets, the apostles, and other holy men lavish of life in the service of God, and with an ambition, divinely enlightened, renouncing this world, and all that therein is, for a crown of unfading glory in another. All this the Scriptures will present to your view, in a sufficiently plain and simple form; this is the province of your private judgment; here it may range safely and profitably. But if your humility be real, you will proceed to unfold, with becoming diffidence, the points of faith and doctrine delivered in the sacred pages. You will repress the presumption and pride of your nature, and the suggestions of your invisible enemy, which tempt you to rely on your individual judgment, unassisted by the interpreters of God's appointment, who are constantly addressing you in your Articles, Homilies, and Liturgy. To these therefore we refer you. These will give you the deliberate views of the founders of your Church, on all the mysterious points of faith, and conduct

you, in safety, through the depths of divine revelation.

Happy would it be if the Church stopped here; if she continued to enforce her Articles and Liturgy, by counsel, advice, and spiritual censures, after the example of the primitive Christians. But unfortunately she proceeded to enforce them by persecution in all its various forms—death, torture, imprisonment, banishment, penal-statutes, and civil disqualifications. Happily the four first methods of curbing private judgment have been exploded by the humanity, and growth of mind, which characterize the eighteenth and nineteenth centuries. Persecution, indeed, is on the wane, throughout the whole Christian world; it still however "sheds its disastrous twilight" on unfortunate and distracted Ireland. To persecution, as an instrument of uniformity, in the hands of our Reformers, I would not willingly allude. But from its introduction into our Church, my argument derives irresistible force, as it proves that the exercise of unassisted private judgment in interpreting the doctrinal parts of Scripture, was, in the opinion of our Reformers, so hostile to the peace and good order of society, and the unity of religious belief and worship, that they punished, with torture, death, and civil disqualification, every departure from their own interpre-

tation of Scripture, as exhibited in their Articles and Liturgy.

What then is the great principle of Protestantism? Unquestionably not the right of private judgment, in the interpretation of Scripture; but that *every national Church is independent of the Church of Rome, and of every other; has a right to declare what is, and what is not the Word of God; and to interpret that word for all within the limits of its jurisdiction.* This is the principle upon which our Reformers acted, after they had emancipated themselves from the extravagant pretensions of the Church of Rome. It is still retained, and acted on, though with diminished vigour, and has produced that system of doctrine, and form of religious worship, which exists at this day. The right of unqualified private judgment is a revolutionary principle. It corresponds to that principle in politics, that men have a right, in cases of extreme necessity, to subvert a government incurably tyrannical. I do not deny the existence of these rights. On the contrary, I rejoice that they are indelibly stamped on our nature, and that neither human power, nor human artifice, can obliterate them. But, surely, they are not the *ordinary* maxims which should regulate our civil or religious conduct. They are the desperate remedies of desperate disorders, not the wholesome food which preserves the religious and

social system in health and vigour. Encourage the mass of mankind to interpret, for themselves, the law either of God or man, and, if they adopt your advice, the utmost licentiousness both of thought and action will, sooner or later, be the inevitable result. If this be not true, history is a romance, and our knowledge of the human heart a gross delusion.

But notwithstanding the zealous labours of our Reformers in framing a scriptural religion for "ALL" his Majesty's subjects, and enforcing its adoption with a rigour more than orthodox, many individuals are found who never cease to extol the Christian mildness, and primitive spirit of our "pure apostolical Church," which allows the faithful to "think for themselves, and work out their own "salvation according to their own views of scriptu-"ral truth." Her charitable forbearance is contrasted with the "dreadful inhumanity of the idolatrous and persecuting Church of Rome," which has "impiously dared to chain the private judgment "of God's intelligent creatures to the inexorable "tribunal of the Inquisition." So prone are men, in defiance of Scripture, to blazen forth the misdeeds of others, and overlook their own.

But the clergymen of the Established Church, who, as members of the various Missionary or Bible Societies, are labouring for the conversion

of the Roman Catholics of Ireland, surpass all their predecessors, in proclaiming the indefeasible right of private judgment, in direct opposition to the Articles which they subscribe, the Liturgy which they read, and his Majesty's Declaration which they despise. According to them, every labourer who can spell the Bible into either English or Irish, or who unable himself to read, hears it read by another, ought to disengage himself from the trammels of human teachers, and rely on his own unassisted judgment as the proper interpreter. Whoever presumes to doubt the justness of this advice is denounced as the enemy both of God and man. Let their other arguments, such us they are, be deemed conclusive, when they prove, that God, in his Word, has appointed no teachers for his people, or that the collective judgment of these teachers is not more to be relied on, for the interpretation of the doctrinal parts of Scripture, than that of an ignorant peasant; when they prove that the immaturity of judgment, which ever has been, and, at least in a considerable degree, ever will be the portion of the far greater part of mankind, does not render those, whose lot is a life of labour, proper objects of the simplest and plainest instruction in matters of eternal interest; when they can prove, by the evidence of *facts*, the safety of trusting to individual judgment, in opposition to the experience of nearly twenty centuries, whose annals record

the inconsistencies and absurdities of the wise and the foolish, the poor and the rich, the learned and unlearned, the pious and presumptuous, who, in studying the Bible, have resigned themselves to their own judgment, or the supposed influence of the spirit; when they can prove all this clearly, and honestly, without sophistry, casuistry, or equivocation, then, in giving or selling a Bible to the labouring poor, whether readers, spellers, or listeners, they may, with some propriety say "take, read, listen, and think for yourselves, "the private judgment of every individual among "you, aided, as it will be, by the Spirit of God, "is his best instructer." But is this a prudent advice?—Is this a lesson of humility to poor, ignorant, fallen creatures? Is it not rather calculated to quicken into a flame those embers of human pride, which poverty was designed to smother? Does it not assail, with temptation, poor human nature, on its weakest side? Or if the pride of the poor man be subdued by his poverty, if he be lowly and humble, does it not tend to rekindle that pride, and lead him to think that his disregard of the instructions of his appointed teachers is the sure passport to divine aid?

But, with deference to the Bible Societies, we must work out the salvation of our souls, as we do the sustenance of our bodies. In both cases, we must have recourse to the appointed means:—

we must plough and sow, and then, with the blessing of God, we may expect to reap: we must, in perusing the Scripture, have recourse to these human means which God has placed within our reach; we must suffer our own ignorance to be instructed by the knowledge of others; we must not forsake the guide that would lead us through the intricacies of the Word; we must not reject the teaching of those whom our Saviour has appointed to teach us, and whose labours he promised to bless even unto the end of the world. This is the order of nature both in spirituals and temporals. When this is complied with, we may, with humble confidence, expect the blessing of God on our endeavours; we may expect the aid of his Holy Spirit to remove our doubts, "enlighten "our darkness," and spiritualize our minds. But to neglect the ordinary, in expectation of the extraordinary means, or advise others to that effect, is repugnant to analogy, reason, and Scripture, and one of the most rash and dangerous flights of enthusiasm.

But, oh! say the advocates of the Bible Society, we only give the Bible, and leave every man to his own teacher for its explanation. This assertion might do well enough for the rank and file of the Institution; but if the thing did not occur every day, would it be believed that the general officers and staff of the Society could in-

dulge in such shuffling puerilities? Yes, you give the poor man your Bible, but you give him also the great principle of your confederacy; you refer him to his unassisted private judgment, as the only expositor he can rely on. This favourite maxim—this alimentary principle of pride—this seedling of discord, you endeavour to plant in his mind by laborious and incessant efforts. You press it upon him in the shape of advice, admonition, denunciation, warning, and circulate it more profusely and gratuitously than even the Bible itself. Then you come forward and say you resign the poor for exposition to their respective teachers. If this be true, these respective teachers must be the several unassisted judgments of the poor Bible readers. In this sense it is indeed verbally true, but, as it is an arrant quibble, it is essentially false and deceitful.

Thus we have seen, that the Thirty-nine Articles and the prefixed Declaration of his Majesty, are idle words or waste paper in the judgment of the clerical churchmen of the Bible Societies. But what do they think of our creeds, our collects, our litany, our entire Church Service, and indeed our Liturgy at large? This is a serious question, and charity imperiously forbids its discussion. I shall only say, that, I believe, the piety of many of these gentlemen is unfeigned, and their approbation of most of our formularies sincere; and

yet I cannot reconcile this approbation with their ardent zeal in labouring to persuade the world that the unassisted judgment of every ignorant man is only to be relied on, by him, for the exposition of the sacred records. They know that, led by this guide, millions have already renounced the Book of Common Prayer, denouncing our Church Service as teeming with popish absurdities, or superstitions, and nothing, more or less, than an ill-said Mass in English. They know that thousands of others, in language still more direct and pointed, have pronounced it to be rankly idolatrous. They know that, every year, many persons of every grade in society, and size of intellect, from the lowest mechanic to the man of splendid fortune and profound research, are withdrawing from our Churches, and joining these abhorrers of our Liturgy. They know that all these persons ground their desertion on arguments drawn from Scripture by their own private judgment. That they are governed by *any* views of scriptural truth we might hesitate to believe, if they were men of profligate lives, or if we could trace their conduct to interested motives. But who will say that Price and Priestly led profligate lives, or that they took the road to Unitarianism as the road to preferment and wealth? Who will say that Lindsey was a profligate, or that, by his voluntary resignation of his benefice, he aspired to temporal wealth, and not to everlasting hap-

piness? Have we not seen, in our own time, in one of our own universities, and perhaps the best endowed, two gentlemen resigning their fellowships, their liturgy, with all their prospects of preferment, and repairing, one to the Unitarian Meeting-house, the other to a garret, and a religious system of his own framing? It is true I have heard that some clerical members of the Bible Society, not having before their eyes St. Paul's description of charity, ascribe the conduct of these gentlemen to vanity, to restlessness, to a love of singularity, &c. &c. For my part I do not search so deeply for motives: if I see a man martyred for his opinions, I think him sincere; if I see him resign wealth in possession, and preferment in prospect, I will not call him a hypocrite. Of the two gentlemen alluded to, it may be truly affirmed, that they are both men of great intellectual endowments, and unimpeached moral conduct, and that one of them, at least, unites a primitive simplicity of character to the most humane feelings, and generous sentiments. Now, when we see such men—when we see the good and the learned, the virtuous and the pious, casting behind them all their prospects in life, for what *they judge* to be the truth of the Gospel—when we see them forsaking our Churches, renouncing our Articles, and shrinking from our Liturgy—when we know that this has resulted from their following their own private judgment, or that of

some respected individual, in the interpretation of Scripture, in opposition to the public judgment of the Church—surely it would not be too much to expect, that the clergymen of this Church, who have subscribed these Articles, and administer this Liturgy, should abstain from recommending, at least to their own flocks, a similar interpreter, for fear of a similar result. Indeed, the conduct of the Established Clergy, in adopting and circulating the disorganizing principle of the Bible Society, has appeared, to many reflecting persons, paradoxical in the extreme, and that of the Church in overlooking their conduct still more so.

But where is the Church—the visible Church of the United Kingdom? Oh! it will be said, you may see her in her Articles, her Liturgy, and her Homilies. These I see indeed, but are they a mere bequest, is the testator gone, and his will disregarded? Are they *vox et prætærea nihil*—the mere transcript of the minds of great and enlightened men, who once existed, were once clothed with authority, but whose authority, like themselves, is defunct, who left no successors, no representatives to honour their memories, prove their will, and enforce its provisions. Yes, I see indeed these Articles, and this Liturgy, but I see also many a man calling himself a son of the Church, wearing her uniform, and bearing her commission, labouring with indefatigable pickax

to undermine them. I am far from charging all these gentlemen with intentional treachery, but that the tendency of their great maxim is the subversion of the Church, and the abrogation of its doctrine, I am firmly convinced, and hope I have abundantly proved. This tendency, however striking, is not always perceived by the zealous promulgators of the principle, because zeal is often blind, and enthusiasm never calculates. But if there be a Church, and if that Church can see, and reflect, and calculate, why has she so long neglected to adopt measures of defence adequate to the magnitude of the danger?

'This danger threatens with destruction not only the established but every dissenting Church —every Church of every denomination, in the whole Christian world, whose members are united by any regular confession of faith, or fixed system of doctrine. As no two men can think exactly alike, even on plainer subjects than points of Christian belief, the principle of unqualified private judgment, if universally embraced, and pushed to all its legitimate consequences, would, in the progress of its operation, crumble down every Church upon earth, into a number of distinct and repulsive atoms; in which discordant state, every man's house, alone, could be his church, himself alone his congregation, and himself his officiating minister. The Christian world

would be reduced to a state of irretrievable confusion, contradiction, conflicting sentiment, and spiritual jargon. In this chaotic state, every bad passion would be fomented, till at last men may be led to cast the blame of this universal disorganization on the Bible itself, not on their own private judgment, and private presumption, to which they are certainly very partial. If other Churches, then, be remiss or blind, why does not the Church of England, with all her fair pretensions, interfere, by *all legitimate means*, to rescue mankind, or at least her own children, from this appalling danger?* Why does she not put her bridle in the mouth, and her fetters on the feet of every Church itinerant orator? Why does she not tell him his wisdom is foolishness, and tear off with authority, or remove with maternal tenderness, that veil of ostentatious piety which conceals the futility of his arguments?

When Mr. Pope and Doctor Singer—men indeed of high character and by far the ablest advocates of the Bible Society, at least in Ireland—when men of this description, dangerous in proportion to their great intellectual and literary caliber, are led away by the prevailing delusion, and not ashamed to tell the world, that "the right of an ignorant labourer to read the Bible, involves his right of interpreting it"—why is the

* See Appendix, No. 1.

Church silent; why does she not address them by her proper organ, if such still exist, to the following effect—Reverend Brethren, your argument is fallacious, and it is our bounden duty to tell you so. Most true it is, that a poor labourer has a right to read the Bible for the health of his soul, and to bathe in the sea for the health of his body. His right to bathe is as clear as his right to read. We have no objection also, to grant you that his right to go into the water, implies his right to swim in it, if he can. But if he swim very imperfectly, or not at all, we hope you will allow in your turn, that both his prudence and duty ought to confine his unassisted efforts to water not more than chin-deep; into greater depths he ought not to plunge, without the support of a cork-jacket, or some other buoying machine. But suppose him an accomplished swimmer; still, the fear of the cramp and the shark, by which so many lives have been lost, ought to teach him a lesson of caution, and secure him from a presumptuous contempt of danger. By the cramp and the shark, we mean to typify the pride of our nature; that inordinate self esteem, by which the judgment of the ablest man is often contracted, or swallowed up in his inquiries after divine truth. The rest of the application is quite obvious; we leave you, reverend brethern, to make it yourselves; and hasten to furnish you with another illustration of the foolish-

ness of your argument, and hope with divine grace, it will make a due impression upon you.

A country gentleman is threatened with a lawsuit. His adversary grounds his proceedings upon a certain statute. The party threatened is naturally impatient to see that statute, and procures it in haste. He knows he has a right to read it, and also, if he can, to ascertain its meaning by exercising his judgment upon it. With this view, accordingly, he reads it, and forms his opinion; but as his estate is at stake, he begins to think it possible that his own judgment, on which he had hitherto rested with much confidence, might misunderstand the import of the statute. He consults his lawyer, who gives the act an interpretation different from his own. This nettles the squire; he warmly argues the point in his own way, with the lawyer, affirming that he himself can read as well, and that his judgment is as good as that of any counsellor of them all. That may be, says the lawyer, but my opinion is formed on the decision of the Court of King's Bench, which alone gives the true interpretation of the statute. The squire thinks once more, of his estate and his late improvements, suffers his judgment to be informed by that of the Court of King's Bench, takes his measures accordingly, and saves his estate. We beseech you, also, reverend but deluded brethren, to give the world a proof of your

penitence and humility, by imitating the example of this lawyer, who founded his opinion on the decision of the court, and to assure the people of your own persuasion, and especially the poor and ignorant, that the framers of our Articles and Liturgy are really better interpreters of Scripture than labourers, or tradesmen, however dexterous at the spade, the trowel, the shuttle, or the chisel. Recommend to their imitation, the conduct of the squire, who, though once as self-sufficient, and high in his own conceit, as any male or female admirer of the Bible Society, yet humbled himself when his acres were threatened, and submitted to be guided by the judgment of the proper tribunal. Exhort each of them to follow his example, without tergiversation or delay, assuring him, in the language of simplicity and truth, that life is short, that a man's soul is more valuable than his land, and the frown of him who fixes its doom, more formidable than that of the Lord Chief Justice.

Such a rebuke as this might check the career of these spiritual pioneers, who are gradually sapping the foundations laid by our Reformers. But the Church, as a great authoritative spiritual body, determined to support her doctrines against the subterraneous approaches of a wily and persevering foe, is no where to be seen. We trace her, indeed, not only in her doctrines, and the

ministrations of her servants, but through all the variety of her secular operations: every day we behold her receiving her rents; levying her fines; collecting her tithes; and enforcing the decrees of her courts. But we see her only in detail; we do not see her in her collective wisdom, in synod or convocation, investigating the causes which retard the progress of divine truth under the pretence of promoting it, rebuking the wild theology, and absurd policy of her restless, meddling, and fanatical ministers, and protecting the doctrines of Cranmer and Latimer from the dark and insidious machinations of her spouting zealots, and licentious theorists. These men are not novices in the trade; they sre skilful artists. They do not directly and professedly attack the articles of our faith. They make no rash avowals. They know that such direct attack could be repelled in the ordinary way, by laws already made and provided. Methods so vulgar, so clumsy, so unpromising, they reject, and proceed cautiously, slily, and indirectly, to the consummation of their object, masking their operations with professions —so help them God—of the most ardent and devoted attachment. Many of them, I have no doubt, are artless and sincere, but their sincerity is as dangerous as the treachery of their comrades—the mighty enchanters who grasp their invisible weapons, and aim their blows with hands shrouded in darkness. New measures should be

devised to restrain these men, if no others are applicable, as no reflecting man of a cool head, and honest heart, can deny, that their proceedings strongly tend to subvert the Establishment, and, what would be a far more serious evil, to pluck up by the roots the religion of the country. But if no convocation will deliberate, if old laws, or old canons are inefficient, and no new ones are to be made, the majority of his bishops might, at least, advise his Majesty, as "supreme governour of the Church," to issue *another* Declaration commanding, or exhorting his "loving subjects"—the clerical members of the Bible Societies, to retract their great principle of pride and presumption—the unqualified right of private judgment. The royal influence, if not the royal authority, might reach the consciences of some of these gentlemen, and their eloquence might hereafter be employed in conveying to the laity lessons of humility, instead of intoxicating strains of presumptuous self-deception. No such advice, however, appears to be in the contemplation of his Majesty's spiritual advisers. Into the cause of this supineness I do not at present inquire.

CHAPTER II.

The Doctrine of unqualified private Judgment inconsistent with the legitimate Authority of a Christian Church.—The Rights of Conscience and the Authority of the Church easily reconciled.—Persecution a dreadful Abuse of Power.—Authority, as a ground of Assent, too much depreciated by the Reformers, and unduly magnified by Roman Catholics.—Ought to be regulated, not extinguished.—Respected by Cicero.

I AM not the advocate of ecclesiastical domination, or of any principle tending to fetter the intellectual powers, or abridge the rights of conscience. These rights, on the contrary, I have ever regarded as sacred, and the development, and improvement of the faculties, as their best preservative. Ecclesiastical usurpation I reprobate as the great evil principle which has obstructed for so many ages, that moral improvement which Christianity was so eminently calculated to produce. But as a Christian, I am a friend to the legitimate authority of a Christian Church,—an authority derived from above, the limits of which are easily ascertained by attending to the nature of a religious association, the wants and infirmities of man, and the practice of the primitive Christians. The component parts of a Church are the congregation and its pastors. The duties of the latter are to teach, and *consequently*

to interpret, to instruct by precept and example, to exhort, to encourage, and sometimes to rebuke, to be instant in season and out of season, to administer the sacraments, to counteract the allurements of sin, by showing how mean, and wretched, and meagre, are the enjoyments it affords, compared with the exalted and permanent happiness which awaits the children of God in the next stage of their existence. The duties of the former are to open their hearts and minds to instruction—to avail themselves of their opportunities of learning what it is they owe to themselves, their neighbours, and their God,—the degraded state of human nature, with the mighty and merciful means of its redemption,—to show forth in their lives, humbly and unostentatiously the purity of the doctrines they profess—and never to abandon the "means of grace and the hope of glory." But to enforce these important duties, or at least their external observance, some degree of authority is evidently necessary; otherwise there would be no fixed rules for regulating the proceedings of the body at large, or the belief and practice of its members; there would be no order, no regular discharge of duty, no permanent bond of union.

Man has a soul to be saved as well as a body to be nourished and protected. The soul is endowed with faculties capable of indefinite improvement, especially judgment, that faculty which

investigates truth by the application of moral evidence. Those branches of human knowledge, which admit only of that evidence, are the legitimate field for its exercise—as political economy—law—history—philosophy of the mind—politics, foreign and domestic—government, morality, but, above all, religion both in its evidences and interpretation. Now, it is quite certain, that a man who has acquired a general acquaintance with all these branches of knowledge, is much better qualified to become a thorough proficient in either, than he who has always confined himself to that one alone; because their variety strengthens and enlarges the mind; because they touch each other in so many points, afford mutual illustration, and rest on the same species of evidence. In short, judgment can acquire correctness and strength, in any considerable degree, only by much and various reading, followed up by extensive and attentive observation. There was a time when Newton was an intellectual driveller, when the porter who bears, with firm step, a load of two hundred weight, could not lift an ounce. Can it be said, with truth, that the Philosopher and the Porter, in their infancy, were endued, the one with strength, the other with judgment? Certainly not. These powers, for which they were afterwards so highly distinguished, existed only as mere *seminal* principles. Repeated exercise, and wholesome food for the mind in the one case, and for the body in

the other, gradually developed and matured these principles, till the load was triumphantly borne, and the secrets of nature laid open.

Had the lot in life of these men been reversed, the porter, indeed, by any mental culture, might not become a profound philosopher; but Newton would probably be less fit for investigating the sense of the more difficult parts of Scripture, than a smart apprentice in an apothecary's shop. A life of labour, to which the great majority of men are consigned, while it gives strength to the body, generally precludes the possibility of mental cultivation. Their judgment never arrives at maturity. Of such persons the congregations of Christians are generally composed, and to them the instruction of regular teachers is indispensably necessary. With bodies of full growth they are children in judgment. To manage such disciples, to teach them what to believe, and what to practise, to convey this instruction, in its various and most efficient forms, surely requires some authority; but this authority must be parental. It must be remembered, not only that they are children, but that they are full grown children. They must be allured, advised, exhorted, sometimes rebuked, but never whipped. The rod of ecclesiastical authority is a spiritual rod, it may lash the mind, but not the body. The civil magistrate will visit the body, with his inflictions, when its acts are unjust,

or criminal; but the ecclesiastical superior should have nothing to do with the body, but to relieve it. To the soul only his empire extends, which he should endeavour to cultivate, to reclaim, and fit for eternity by all the gentle methods of persuasion; when these fail, by spiritual censures; when these also are ineffectual, and the offence gross and contagious, by exclusion from the communion of the faithful.

Thus far, and no farther, does the legitimate authority of a Christian Church extend. It has no right to visit erroneous opinions, in religion, with temporal penalties. This is a prerogative which neither Church nor State are, by the law of God, authorized to exercise. The attempt would be equally impious, and ineffectual. No legislative enactments can check the reasonable curiosity of man, or even his propensity to indulge in forbidden speculations, on a subject of such paramount interest. He must, often, be wise above what is written; he will for ever persevere in his attempts to pluck its forbidden fruit from the tree of knowledge, though it proves, too often, to be an apple of discord. For, when men presume to discuss subjects above the reach of the human understanding, above the ken of their senses, and but partially revealed, or not at all, no coincidence of opinion can be expected. One man has as good a right, as another, to indulge in daring

conjecture, or sturdy dogmatism. All moderation is lost in the conflict of opinions, and the combatants agree in nothing but in detesting each other. It is only the weariness of the parties that can end the dispute; as the mysterious nature of the subject, and the imperfection of our faculties, would render it interminable. Each man thinks he has discovered what God has concealed, and gives his opinions as a supplement to Revelation. His adversary presents us with a different view, equally imaginary, and equally positive. Argument is succeeded by invective, each unsparingly loading his adversary with opprobrious epithets, or malicious insinuations. But the worst feature in the case is, that each of the dogmatizing doctors accompanies his bitterest denunciations with a solemn assurance that they emanate from a spirit of charity amiably bent on rescuing a deluded soul from perdition.

Such are the scenes which have disgraced the Christian world for so many centuries, and disgrace Ireland at present. The morality of the Gospel utterly forgotten in a zeal for torturing, and distorting its doctrines—doctrines, the pure, simple, scriptural enunciation of which is insufficient for theological profundity, or presumption. On the most confined scriptural area, the spiritual architect erects his metaphysical temple, and calls upon his astounded adversary to wash off his pol-

lutions, and enter the sacred edifice. But, why should architects, working up such intangible materials, be either favoured or punished by a sober Legislature? If they conscientiously believe they are doing the work of God, when they brandish their syllogisms, and discharge their volleys of invective, why punish them? If they are actuated by a malignant wish to injure their adversaries, as "words break no bones," they are beneath the notice of the Legislature, which ought to take cognizance only of overt acts. If they are actuated neither by love of God, nor hatred of man, they are mad; but, as this madness is only metaphysical, the bleedings or strait waistcoats of political physicians are surely unnecessary. Their motives are invisible, except to God; and of their doctrine, he only with certainty can discern the truth or falsehood; therefore, of their motives and doctrine he should be the sole judge. In this age, the humanity of the Gospel has made considerable progress, and the descendants of persecutors, in many instances, detest the persecution, even in its most mitigated form, and are ready to consign it to that hell in which it originated.

Let the Church then assert her inherent spiritual authority; let the State confine her to that, and by disclaiming all right of interference, allow to every subject equal and unrestricted liberty of conscience; and then the legitimate rights of private judgment,

and of the Church, will both be established on their *true basis*. A Christian Church, as such, must have an inherent authority to interpret, to instruct, to admonish, to rebuke; while the duty of the faithful, whether educated, or uneducated, is to hear her voice with unfeigned respect. But the duty of the uneducated is, also, to embrace her doctrines with cordial assent, and gratitude to God, for having vouchsafed to grant them an organ of instruction so suitable to their wants. The man favoured by providence with a good education may, indeed, on Protestant principles, bring any doctrine of his Church to the test of Scripture, and withhold, or withdraw his assent, *should his conscience revolt against it, on full and fair examination*. His faculties are matured; he has, perhaps, as ample means of information as the Church herself; that Church disclaims infallibility; his conscience is alarmed; he may judge for himself.

But where are we to draw the line between the educated and uneducated? What graduated scale shall determine the degrees of knowledge and talent which justifies a man in dissenting from his Church? This question concerns only the individual himself. You can draw no such line; you have no such scale; and therefore you have no right to interfere. Establish liberty of conscience on its broadest basis, and the problem is solved to every *practical* purpose. The Church,

when commissioned to teach, was not empowered to employ compulsion; but merely to address men's understandings and hearts. If the individual addressed, whatever be his place on the scale of mental strength or weakness, will not hear her voice, he must answer for his conduct not to erring man, but to the great Searcher of hearts. But though the ignorant man, also, who might oppose his scanty rudiments of thought to the judgment of the Church, ought not to be visited with temporal penalties, why should he be *exhorted* or ENCOURAGED to think for himself, and interpret for himself, that is, frame articles of faith for himself. This doctrine strikes at the root of that ecclesiastical authority, which Christ has given; and those who hold it ought to speak out at once, and denounce the Church as a nuisance which ought to be abated, and its revenues appropriated to the liquidation of the public debt, or relief of the perishing poor.

The truth is, that the kind and degree of authority, already stated, is essential to a Church, and is sanctioned only by spiritual censures; more than these is usurpation, and an unwarrantable assumption of that temporal power which Christ disclaimed, and which the civil magistrate only should exercise. On the other hand, when Government interferes with men's thoughts, while the overt acts are innocent, when it sits in judg-

ment on their religious opinions, while their conduct is blameless—visiting them with penalty, or privation of any common right,—this is an awful invasion of the authority of the great Searcher of hearts, whose exclusive prerogative it is to sit in judgment on intellectual aberration.

Yet how often is this done, and done at the instigation of those whose bounden duty it is to raise their voice in humble supplication against it? Or, will it be said, that it is not the duty of preachers of the Gospel to remonstrate, when they see men "clad in a little brief authority," assuming powers more than human,—when they see the feeble and fallible governors of states placing themselves on the tribunal of the OMNISCIENT GOD, and fulminating their decrees against the consciences of their fellow-creatures? But how deep is the guilt of those ministers of the Gospel, when, instead of endeavouring to lay this persecuting spirit, and promote peace and good will among men, they call it into action, by all the means, direct, and indirect, in their power. This guilt, so foul and deadly, admits still of aggravation, when these same ministers of the Gospel of Peace slyly insinuate, or boldly announce, to the rulers of nations, that this violation of the rights of conscience tends to the honour of God, and the maintenance of true religion. Surely this is not only great wickedness, but great

inconsistency. But how does the wonder grow, when we make the application to the lay, and especially, the clerical members of the Bible Society, who belong to the Established Church. These gentlemen broadly affirm that every man, however ignorant, has a right to interpret the Bible for himself. This undeniably includes the right of deriving, from that interpretation, his system of faith and worship. In the innocent exercise, therefore, of this right, no individual, or public body, can have a right to disturb him, either by impairing his privileges as a citizen, fettering his industry, mulcting him in his purse, or injuring his person. Yet many of these gentlemen, who are circulating their Bibles in every quarter of the globe, and making that circulation the vehicle of their own speeches, their own praises, and that of their heaven-favoured Institution—many of these gentlemen, regardless of every precept of Gospel charity, and forgetful of their own great and leading principle—the inalienable right of private judgment,—are hostile to the removal of that remnant of penal infliction, which still attaches to their fellow-subjects, and fellow-christians of a different persuasion! Some of them, I am informed, are high in his Majesty's confidence; but, of course wickedness and inconsistency never ascend to the high regions of office. There, political expediency, a phrase of universal application, and pregnant with sound sense, or

useful nonsense, as the occasion may require, strips vice of its deformity, and inconsistency of its contradictions.

How, indeed, shall we account for the vicious inconsistence of the clerical Church Members of the Bible Society; who tell their ignorant fellow-creature that he ought to interpret the Bible for himself; but if his interpretation be wrong, *id est*, differing from their own, then tell parliament, or the member of parliament, that he ought to be degraded in society, or to remain so, and be deprived of the common rights of a British subject. Surely this is too heavy a penalty to be imposed on a mistaken interpreter, by a Biblical Christian of superior pretensions to sanctity! But it has been said that this inconsistency and inhumanity are sanctified by some unseen influence, shed from the high regions above-mentioned, on the dignitaries of the Bible Society, then descending on the rectors, and, with accelerated velocity, on the curates. This may be true, to a certain extent; but their conduct is also influenced by another cause of a more general operation, which may be noticed hereafter.

Oh! but, say the Biblical enemies of emancipation, the Roman Catholics do not interpret the Bible for themselves, or, indeed, read it at all, but "take their religion on trust:" and, therefore,

with respect to them, we are not inconsistent. If the charge were true, in its full extent, it could not justify persecution in its mildest form. But, like most of the declamation of the day, it is nothing but falsehood thinly varnished with truth. The Roman Catholics of Ireland are as well supplied with Bibles, as the Protestants of England were before the Bible Society existed. Indeed the members of this holy alliance have repeatedly told us, in their sophistical slang, that there prevailed among the Protestants, as well as the Catholics, "a great dearth of the Word of God." If they had told us that there prevailed, and still prevails, among both, a great dearth of that piety and practice, which the Word of God inculcates, this, unfortunately, might be too true; but true with respect to the inhabitants of every country and of every religious persuasion. But the phrase implies, and was intended to insinuate, that the knowledge of God's Word, and of religious truth and practice, is commensurate with the circulation of the Bible,—an assertion which goes to undermine the Churches of Christ,—which is refuted by general experience,—by the sound creeds, and exemplary lives of thousands of Protestant and Catholic cottagers in every age—by the example of the primitive Christians who were faithful unto death, before either Gospel or Epistle was written—and, strange to say, by the printed and published documents of the Bible Society itself.

Indeed, at this day, after this presumptuous Association, whose labours and success have been placed in competition with those of the Apostles, has, for a quarter of a century, attracted the admiration of the ladies—scattered its Bibles among the nations—addressed them in "great swelling words of vanity"—squandered a million of money and fifty millions of speeches,—after all this, it is quite easy to point out many persons who have Bibles in their houses, but the world and its vanities in their hearts; and, thanks be to God, it is not difficult to point out some few, at least, who practise their duties to God and man, without reading the Bible, having derived their knowledge of both from their Prayer Books, their formularies, and the lips of their teachers.

But the Roman Catholics of Ireland are not so destitute of Bibles as the Bible Society pretend. All their laity in the upper, and very many in the middle rank of life, have the Bible in their own version, and can argue from it too, perhaps, sometimes, too plausibly for the logic of a Bible distributer. And, in reading the Bible, who can say, with truth, that the private judgment of their educated men is in abeyance. The authority of their Church has, unquestionably, great influence on their religious belief. But, is it credible, that, if the Scriptural proofs, of the infallibility claimed by that Church, were found to be unsatisfactory,

the educated Catholics of the present age would rest, with such confidence, on her decisions. Or, if they found the charge of idolatry substantiated by Scripture, can it be supposed, that they would not renounce it with horror? They know what idolatry is as well as the Bishop of Chester. They are as well aware of the dreadful denunciations against it. They have no sacred grove of Daphne, they celebrate no festivals of a Popish Venus, nor a Popish Bacchus; why, then, *adhere to the idolatry, without* the idolatrous gratifications? On their views of Scripture, they are convinced that their opinions and practice are innocent, and that the idolatry, charged upon them, exists only in the impure imagination of their defamers. Would they not renounce the creed of their Church, and spurn her authority, if they did not find both confirmed by their own interpretation of the Scriptures?

Why does Mr. O'Connell, laying aside his capacities of barrister and demagogue, argue, from sundry passages of Scripture, with the address of a special pleader, in support of Transubstantiation, against the Rev. Mr. Daly; why does he, in the same cause, erect a battery, on the sixth chapter of St. John's Gospel, against the well-furnished head of that stubborn controversialist? Because, not only the authority of his Church, but his own private judgment, assure him that Scripture

is in his favour; otherwise he would renounce his Popish errors, and receive the cleansing benediction of the Archbishop of Dublin. There is nothing to deter, but much to invite him. In Ireland, wretched though she be, there is no inquisition, no stake for burning heretics; but there are silk gowns, law offices of great trust, and honours in abundance. I say, then, that he, and thousands of other educated men, are kept firm in their creed, in opposition to their worldly interests, partly by the authority of their Church, but, principally, by the conviction of their own private judgments in interpreting Scripture. As to the uneducated class, they rest entirely on the authority of their authorized teachers, and they are right. The influence of authority, even on the *learned of every religious profession*, is greater than is generally acknowledged, and that influence is oftener salutary than otherwise.

In illustration of this, let us suppose a case, which not unfrequently occurs, especially among those who intend to take orders in our Church. A young gentleman, whose mind is well stored with general information, is determined to direct his studies to one particular object—the Bible, because it professes to be the Word of God, and he is resolved not "to take his religion on trust." This resolution the Bible Society applauds, and I certainly do not condemn. But here, a diffi-

culty occurs *in limine.* He is about to study the Word of God: but how does he know that there is a God, or that the Bible is his Word? It is true, his parents and teachers told him so, the whole Christian world told him so; but he is not to "take *his* religion on trust," but particularly the existence of God, the first article and foundation of all religion. To the proofs of this great article he accordingly proceeds. He opens and reads the book of nature, he reads and weighs the arguments *a priori* and *a posteriori,* and is convinced that the world was not mistaken in affirming that there is a God. But it occurs to him that a just judge will hear the advocates on both sides, and therefore he thinks it but fair to ascertain what the Atheists have to say for themselves. This, also, I do not deny that he has a right to do, though I think it rather a work of supererogation. While he is perusing Spinoza, and the other Atheists, the tempter is present, gives a false gloss to their arguments, and excites in the mind of our student, some doubts, if not of the existence, at least of the providence of God. He passes, again, in review, the arguments on both sides, and feels his doubts, though somewhat diminished, are not entirely dispelled, till, at last, he reflects that the arguments against Atheism were conclusive in the view of the best and most enlightened men of all ages, and nations; and thus the weight of authority, added to abstract

argument, fixes him firmly in the belief of a superintending providence.

But matters are not yet ripe for the commencement of his Scriptural studies. He cannot yet open his Bible, at the first chapter of Genesis, without violating the rights of *private judgment*, which extend, as unquestionably to an examination of the authenticity of the Scriptures, as to their interpretation. He must "judge for himself, and not take his religion on trust." Besides, it will naturally occur to him that the Roman Catholics affirm that the Bible is from God, which forms a strong presumption against it, for what "good Protestant" in our days, would believe the word, or even the oath of a Papist? Immediately Paley, Priestly, Lardner, Letters of certain Jews to Voltaire, &c. &c., are thrown open, read, considered. Their arguments are found irresistible. Conviction is complete. But the Deists—not to hear them would be to refuse full scope to private judgment, and call upon it to decide upon *ex parte* evidence. Forthwith Bolingbroke, Hume, Voltaire, Rousseau, *cum multis aliis*, are bought, begged, or borrowed. The Essay on Miracles staggers our student, but Campbell restores his equilibrium. St. John makes some impression, which further consideration nearly effaces. But Voltaire—how lively, how airy, how elegant! what wit, what point! how terse, how dense, how

sententious, how vigorous! Many of his misstatements, and fallacies, however, are soon detected; but can so fine a genius be always wrong? And Rousseau too—that child of nature, of sentiment, of generous feeling! is he never right? Thus some doubts are engendered, till at last he perceives he is resting not on the arguments of Voltaire and Rousseau, but on their reputation, their literary splendour, their fascinating style—*id est*—on the mere authority of two polished infidels. Then he says, my private judgment deliberately opposes, to the authority of these two foppish philosophers, the authority of all the great masters of reason, who have triumphantly pleaded the cause of revealed religion, from the day of the crucifixion to the present. The cloud is instantly dissipated; and the arguments of Paley, Lardner, and Priestly, act on his mind with full force.

At last he takes down his Polyglot Bible, with his Greek and Hebrew Lexicons, consults all the commentators on the controverted points, weighs their respective arguments, till his judgment, thus furnished with ample materials to work on, and duly informed, pronounces its decision. But having devoted much and severe application to the study of the Scripture, a new field opens for the exercise of his private judgment. The Books called Apocryphal the Roman Catholics insist are

canonical: this, though with some hesitation, the Protestants deny. Thus a new and arduous investigation awaits our student; for if the books in question be the Word of God, they ought to be read with the same reverential care as the other Scriptures, but neither their reception or rejection ought to be "taken on trust." Accordingly libraries are ransacked, Councils, Fathers, and fragments are consulted, and all his intellectual powers are brought to bear on the subject, till his mind is made up at last, and yielding to the invitation of a friend, he posts off to the country for the benefit of his health. How often are men thus rescued from infidelity by the aid of authority brought up in support of their reason?

Now every man, of an highly cultivated mind, has surely a right to enter upon such a course of reading as I have described. But is it accompanied with no danger? A man may have a right to undertake a voyage to Calcutta, yet, though a skilful navigator, and dexterous swimmer, he may be cast away, and perish in the passage. Surely, then, when the mind launches into the boundless ocean of controversy, it requires more than an ordinary degree of judgment to steer the frail bark into the harbour of truth, through all the rocks of blasphemy, which tower above, or lurk beneath the surface; while the passions, those fascinating

syrens, are perpetually inviting the unsuspecting mariner to his destruction. And are the perils of such a voyage to be encountered by the Irish labourer, or English operative, who can do little more than name the letters of his alphabet, connect them into syllables, and run them into words, —a process tending, perhaps, as little to improve the judgment as any other mechanical operation? I answer, without hesitation, that such a man ought not to encounter such perils. Yet if he ought not only to read, but to interpret the Bible for *himself*, lest he should "take his religion on trust," he ought also, and for the same reason, examine all the arguments for and against the existence and attributes of God, all the arguments for and against Revelation, all the arguments for and against the canonicity of the books called Apocryphal. Was there ever an absurdity more startling than this? The truth is, that the great mass of mankind have a much better guide, in *matters of religious belief, than their own private* judgment in expounding Scripture, and estimating the force of conflicting arguments. The whole Christian world assures them that there is a God, who has created and governs the world; that he has given a revelation of his will; that the Scriptures are that revelation, and that he has commissioned an order of men "to teach all nations" by declaring and expounding those Scriptures.

But suppose no such order of men had been created, no such commission issued, it would still be quite clear, that, by the divine arrangement, knowledge and experience were intended to direct ignorance and inexperience, and that those whose reasoning powers are feeble, and whose judgment is immature, should take the benefit of the ripened faculties, and acquired information of the more fortunate portion of their species. From the former, the latter derive the necessaries and luxuries of life, and should give them, in return, advice, information, with such moral and religious culture as is suited to their condition. Of abstract reasoning, accurate deduction, metaphysical inquiries, so copiously employed by the leaders of contending sects, the sons of labour know nothing. That these leaders should contend for the prize of truth, and that the sons of labour should receive it at their hands when won, or supposed to be won, is the law of our nature. This law the Bible Society and their advocates are labouring to repeal, and to set up in its place a compound principle, equally partaking of the anarchy of private judgment, and the infallibility of inspiration. But in defiance of these sages of the nineteenth century, authority has always been one of the great guides of life, both in spirituals, and temporals, and will continue to be so, till human nature is changed. Men will still be guided, in general, by the opinions of those whom

they think wiser than themselves. Except in private matters of mere domestic concern, and even sometimes in these, authority, to the great mass of mankind, is the substitute for private judgment. The same ignorance, which qualifies them for the admission of the former, disqualifies them for the exercise of the latter.

Oh! but this is all Popish and unphilosophical. I care not whether it be Popish or not, provided it be *true*; and, convinced of its truth, I am accordingly persuaded, that the fairest character of philosophy is stamped upon it. That religious feuds and controversial asperity have extended a corrupting influence to philosophy itself appears in this, as in other instances, that the Reformers unduly depreciated authority as a ground of assent, while the Roman Catholics as unduly magnified it. This will still be done, while both parties are impelled by the blind fury of controversy; but when their ammunition is spent, and they mutually pant for rest, then they will discover, that not only the cause of truth, but their own *permanent* interests call upon them to acknowledge, that authority is an indispensable rule of sentiment and conduct, recognized both by our instincts, and our reason, but that it should be confined to its legitimate sphere, and the limits of its influence distinctly marked.

These limits the friends of truth should endeavour to ascertain, and struggle no longer, foolishly and inefficiently, against the instincts of our nature, and the appointment of our Creator. Authority ought to be regulated, not extinguished. Its influence ought to be fully recognized, but it should never be permitted to exert that influence in opposition to our senses, to the *evident* deductions of reason, and the will of God *clearly revealed*. In *opposition* to good moral evidence the voice of authority should never be raised; but in support of even the best evidence of that nature, it may be called in as a useful ally. It often makes truth more palatable, disposes us to listen to its voice, and prepares our minds for its reception. It may, it is true, occasionally take the field in aid of error, as well as of truth, because, with Mr. Hardcastle, it "likes every thing that is old;" it may appeal to the wisdom of ancestors, with the confidence of a modern declaimer; it may advocate the cause of legitimacy in aid of the argument, that Government, like fruit, is mellowed and improved by time—all this it has done, and will still do, because, like other *powers*, it is fond of extending its influence; but this only proves the propriety of restraining and regulating that influence, but not of extinguishing it. Besides, let us not forget that a thing may be old, and still good; that our ancestors were not always in the wrong; and that legitimacy itself is sometimes paternal. Even

when it supports erroneous systems and establishments, the influence of authority will generally be found beneficial, rather than injurious. It restrains individuals from premature and violent attempts at reformation, which may terminate in their own ruin, in local disturbance, and useless bloodshed. It preserves the peace of society, while truth and reason are, slowly, and gradually, preparing the public mind for the peaceable, or less violent abolition of erroneous and oppressive systems. When this change of sentiment is effected, authority takes its station by the side of the reformers, and becomes the champion of that truth which it, before, had opposed.

If all human knowledge admitted of pure demonstration, moral evidence would become useless; but authority would still retain its influence, and use, till *all* men became capable of collecting *indisputable truths*, and drawing *inevitable* conclusions. Controversy, indeed, whose food is probability, but whose deadly foe is demonstration, would, perhaps, be at an end. The Doctors Magee, Curtis, Doyle, and Singer, *mirabile dictu*, may think alike, club their wits, and co-operate for the instruction of our labourers, operatives, and sportsmen. But authority would still be the medium through which these high and mighty demonstrators must convey their infallible truths to the uneducated orders, who would have neither

time nor capacity for elaborate demonstration. For instance, the mode in which Christ is present in the Sacrament, God has not distinctly revealed in his Word. The reception of the simple truth is all that is required of the Christian, who is not to labour to be wise above what is written. However, under the reign of demonstration, the irrefragable Doctors, above mentioned, would soon agree, among themselves, about the mode, as a necessary adjunct to the simple truth, pronouncing it to be either a spiritual presence, a presence by consubstantiation, by transubstantiation, or some other presence. The belief of this mode would be recommended to the people at large, and by them gradually adopted, not on the authority of Scripture, from whence it is only deducible by a difficult process of reasoning, but on the authority of the great names above mentioned, with their combined host of invincible theologians. Indeed it may be said with truth, that under the reign of demonstration itself the authority of the great and learned would still be the middle term through whose intervention the mass of mankind would draw their conclusions on most, and particularly religious subjects, and would continue to do so, though every table and shelf were groaning with Bibles. But in the present state of our faculties, when only moral evidence is vouchsafed, on the most momentous subjects, authority is fully as necessary, and still more useful;

because, as already shown, to the uneducated it supplies the place of that evidence, it frequently exerts its influence in support of truth, and, though it often lends its countenance to error, it does so, only, till men are prepared for its subversion by the progress of truth; and, in the mean time, it tends to preserve the peace of society, with the lives, fame, and fortunes of individuals, by discountenancing premature improvement. In short, authority is a legitimate ground of assent, in the *absence of a better*, but never *in opposition to it*. In some cases, indeed, authority is opposed to authority; but authority and truth will, always, in the end, prevail over authority and error.

Cicero, as able a man as any of our Biblical orators, did not scruple to say, "*Malim cum Platone errare, quam cum aliis recte sentire.*" I do not adopt the sentiment in its unqualified sense, yet, it evidently implies, that whoever should rely on the authority of Plato would seldom be misled. In his opinion, then, authority might be a good ground of assent. But why not rely on the authority of a Christian Church, more than on that of any individual Philosopher, Pagan, or Christian? if that great orator, philosopher, and statesman, were now alive, resident among us, and acquainted with Christianity, its code, its history, and its evidences, with what a mixture of surprise, indignation, and pity, would he behold modern Doctors

of Divinity—doffing their scarlet, and hastening to exhort the poor ignorant son of labour to expound for himself the code of man's salvation—to rest with confidence on his own mental incapacity—on the wild dreams of a feeble and bewildered understanding, merely because it is his own—and not on the labours of men, whose lives had been devoted to the investigation of divine truth—who have produced Christ's commission to instruct his flock, and are the chartered guardians of their faith and practice!

CHAPTER III.

Proceedings of the Bible Societies and other proselyting Associations in Ireland.—Effects on the Catholic Population.—Inconsistency of the Leaders of these Societies.—Their Morality not always rigid.

To the foregoing observations, so intimately connected with the pretended rights of unassisted private judgment, and the proceedings of the proselyting Societies in Ireland, I beg to call the attention of the honest and unsophisticated reader. Indeed I suspect that the leaders of those spiritual renovators, who sometimes transform *Lords* into *Fools*, and *Fools* into *Sages*, are not so hostile to authority, nor so friendly to the exercise of private

judgment, as they pretend. When they issue their marching orders to a regiment of Bibles, to reinforce the garrison of a particular town, the march is preceded and followed by a numerous rabble of irregulars, composed of handbills—newspaper squibs—speeches revised and reported—pious tracts—evangelical essays—serious reviews, and more serious magazines, in all which popery and its priesthood are described as the most abominable of all possible abominations, and clothed with the choicest attributes of hell and Satan, while the members of the holy alliance of proselyting fanatics, are held out as ministering angels, descending from heaven, on missions of mercy. These are dropped on the roads, scattered in the fields, given to *good* children, read in stage coaches, forgotten at public houses, and other places of popular resort. Almost every spot, however sequestered, bears on its bosom some printed testimony of the virtues of the *saints*, and of the "flagitious impostures of the *children of Antichrist*." What is this but an attempt to persuade the poor papists, that the proselyting folk are endowed with all those eminent and estimable qualities to which authority is naturally annexed; that, in the chair of authority, accordingly, they ought to be placed, and the Roman Catholic priests thrust out of it, as impudent pretenders, and detected impostors. Even when they do no more than lament, in piteous strains, the "gross

superstition and deplorable ignorance" of the Catholics of Ireland, does not the very intensity of the lamentation betray a secret wish, that they who are foremost in discovering such a "sad and general falling off," should be deemed the most enlightened,—who lament it so deeply, the most benevolent,—who labour so incessantly to remedy it, the most charitable of mankind? Do they not evidently aim at establishing their own authority on the ruins of that of the Catholic Priests, for the purpose, let us charitably suppose, of chasing away vice, superstition, and idolatry to the banks of the Tiber? But do not their eager aspirations after authority for themselves, while they labour to subvert that of others, show their full conviction, in opposition to their own repeated declarations, that it is a useful and necessary mean of conveying and recommending truth, though, like every other moral engine, liable to abuse?

If, by the influence of authority, they could once gain admission to the good opinion of the poor of Ireland, they would, by the very act, become masters of their private judgment. A rich, influential, and learned body, who have the command of the Press to an unlimited extent, whose agents, emissaries, and admirers, are every where on duty, —if such a body could once command the esteem, and staring veneration of the simple peasant, their

favourite doctrine, or rather the dialect, or cant, which is its constituted vehicle, would glide into his head, more smoothly, though less perceptibly, than their Bible into his hand. Such is the magic effect of nice tracts, smooth address, and dexterous innuendoes, judiciously administered, especially when the preparation is enriched with significant shrugs, and eyes gleaming with a mingled expression of wiliness and saintship. The new religious impressions, should such be produced on his mind, by these powerful stimuli, the poor peasant would impute to the operation of the Bible on his private judgment; little suspecting, that his new opinions, or rather the terms that express them, had been adopted on the mere authority of Doctor Singer, in opposition to that of Doctor Doyle. The only act of his judgment, on the occasion, would be a preference of the authority of the former, to that of the latter, which alone would induce him to reject the Bishop's interpretation of certain texts of Scripture, and embrace that of the missionary. Reasoning would be out of the question. Yet the extraordinary excitation of his mind, its turbid conceptions, and violent emotions, partly produced, perhaps, by a quarrel with his priest commanding him to make restitution, and partly by his resolution of plunging into a new and untried system of religious belief—this mental fermentation, combined with the half-formed notions imbibed from the missionaries, would pass with the poor crea-

ture for sound reasoning—the result of the application of his own private judgment to the interpretation of Scriptural texts! He had been often exhorted to think for himself, and judge for himself, and would never suspect that they, who with such real solemnity, and apparent sincerity, had recognized the competence of his intellectual powers, and enforced the vigorous exercise of them, would slyly, secretly, and insidiously, infuse into his mind the results of their own interpretation, and pass them upon him for his own discoveries.

The same methods, practised upon an ignorant Protestant, would bid, at least, equally fair in producing a similar result. Let us suppose a Roman Catholic Bible Society established in France, with the consent of the Pope, and patronised by a crowd of nobles and prelates, for the purpose of circulating the principle of private judgment, and Douay versions of the Bible without note or comment, among the poor Protestants of Ireland. The supposition, it is true, is a violent one; but, let us admit it, for a moment, and speculate on the probable result. Here, also, it would be authority against authority—Doctor Doyle and the Pope, at the head of all the zealots and fanatics of their persuasion, circulating their Bibles among the ignorant Protestants, calling upon them to think for themselves, and throw off the degrading yoke of the Thirty-nine Articles.

These Bibles would be issued in their "naked purity"—"without note or comment," "unmixed with the opinions of modern theologues." There would, I say, be no note or comment *annexed to the text:* this would be too honest a proceeding, too glaringly at varience with their pretended principle—the right of unassisted private judgment. The turbulent and selfish principles of man's nature, his pride, his presumption, his self-love, his inordinate self-conceit, must be addressed and flattered. This would be done in myriads of little desultory publications, exalting the sufficiency of man's intellectual powers in their natural state, unsophisticated by the pursuits of human knowledge, or profane speculations. In aid of these, would also issue from every popish press, a swarm of little unfledged productions, numerous as flocks of starlings, chirping out smartish argument on every point of Protestant doctrine, well adapted to the size of the understandings upon which they were intended to operate. My dear friends, one writer would say, the fat parsons, and the bloated bishops, as your Bibles will tell you, are blind leaders; but do you rise up, in the dignity of your nature, and show them that you are not blind enough to be led. With your Bibles in your hands, and your own judgment in your heads, will you believe the wicked absurdities they impose upon you. When Christ himself tells you, "this is my body," and

the blind guides tell you it is not his body, but something else, which will you believe? To support their lie, they modestly call upon you to believe that the word *is* signifies *represents*. But if so, would not Christ use the latter word in preference to the former? Then his meaning could not be mistaken; and surely your own unsophisticated judgment will tell you that he would not lay a trap for the souls whom he came to save. In another place, does he not say, "Unless ye eat the flesh of the Son of Man, &c.," is this, too, to be explained into something spiritual, by Protestant logic, which wrests words from their meaning, and makes Christ a quibbling sophist. But, my dear friends, care not for what either Protestant or Catholic tells you—read the Bible—attend to the plain meaning of the words, and judge for yourselves; always suspect those who advance, against the plain sense of Scripture, under the banner of philosophy and logic. They will tell you, that the same body cannot, at the same time, be in different places. This is true of the natural bodies with which you are acquainted; but the body of Christ, though human, is united to the Deity; can you tell what capabilities that conferred upon it, what disabilities it removed? What appears to us a contradiction may not be so in reality. Such it may seem to the purblind reason of man; but give that reason infinite expansion, and the contradiction may

vanish. Where reason sees nothing but incongruity, the Deity may discover the most exact harmony. But erring man, as presumptuous as he is blind, attempts to reduce the hidden things of God to the level of his own feeble comprehension; he makes his foolish objections, and his futile distinctions, on subjects with whose relations and natures he is utterly unacquainted; he talks of things above reason, and contrary to reason, though the latter may be only contrary to *his* reason, and not to the reason of that infinite intelligence who sees all their bearings, their relations, their connexions, and mutual dependencies. Then, determined to make revelation bend to his sytem, he allegorizes and mystifies it at will; he says that "body and blood" mean only spiritual presence; and fortifies his ratiocination with profane, and unsavoury jests, about chewing, swallowing, and digesting God; while those jesting impieties are really directed at the obvious meaning, and express words of your Bible. Finally, having, by a logical process, stripped the plain words of Scripture of their plain meaning, and fastened on them a far-fetched sense of his own, he triumphantly exclaims that the popish doctrine of Transubstantiation is anti-scriptural, impious, and idolatrous. What is too scriptural for his taste, he always pronounces to be anti-scriptural, adding as many other abusive epithets as his memory can furnish.

This is a sufficient specimen of the mode and spirit in which a grand Bible Association of Roman Catholics, through their numerous agents, emissaries, and anonymous scribblers, might address a Protestant peasantry, on every controverted point of doctrine. And if such addresses, however deficient in sound argument, should be seconded by an imposing appearance of worldly grandeur, elevated rank, literary fame, and high pretensions to religious purity, who will say that the faith of our poor operatives and labourers might not be shaken before the lapse of a quarter of a century? Repeated appeals, oral, and printed, exhorting them to rely on their own understandings, and throw off the yoke of a bloated and avaricious clergy, wallowing in wealth and worldiness, would excite attention. The Word of God, in its uncontaminated purity, which can make them wise unto salvation, and whose saving truths, preached originally to the poor, are peculiarly suited to their capacity, "the utmost perspicuity being essential to a divine revelation,"—this Word of God tendered in the spirit or profession of disinterested charity, by the good and great, the learned and pious, the princes and nobles of the Catholic world—the Bible without note or comment; but with the important and flattering appendage of the all sufficiency of private judgment, circulated by those to whom it was originally given, and who clung to it through the

fires of persecution, and the darkness of barbarism—the Bible first given to Catholics, handed down by Catholics, among poor benighted Protestants (for such they would be styled) would, it is more than probable, make a deep impression in favour of Catholic principles.

But all this would be effected by tickling men's pride, by extolling their judgment, by little plausibilities of speech undeserving of the name of argument, by judicious sprinklings of invective, but chiefly by authority, the most cogent of all arguments in the mind of the peasant, because the only one he can fully comprehend.

The Roman Catholic Church claims an authority conferred by Christ himself, in the express words of Scripture, and transmitted through an uninterrupted succession of ministers. She holds herself forth as the *infallible* and *divinely* authorized interpreter of Scripture. How flattering to the pride of a Protestant operative, that such a Church should *seem to delegate*, to him, her full powers of interpretation, when, in giving him the Bible, she would say, "take, read, and judge for yourself; God has given you understanding; employ it in his service by unfolding the mysteries of his Word." What unfurnished head of labourer or mechanic could resist an invitation so seemingly fair, so seductive, yet so really trea-

cherous? All the peculiar doctrines of popery would gradually find their way to his mind, through a thousand channels, and, in reading the Bible, he would find the supremacy of Saint Peter, the real corporal presence, the invocation of Mary full of grace, inscribed on every page, they would fasten on his imagination, and become identified with his convictions.

In Ireland our Church would enter into a proselyting contest with the Church of Rome, under manifest disadvantage. The spiritual authority of a Christian Church, which she claims in her Articles, has been but faintly and indistinctly urged, for more than a century; some of her own children from the beginning have opposed it in deed, if not in word; the Protestant dissenters laugh at it; *et tu Brute!* even the Church members of the Bible Society, poniard in hand, have aimed a deadly blow at this spiritual authority, by rebelliously proclaiming that "the right of reading the Bible implies in every reader, or hearer, however ignorant, the right, and duty, of interpreting it,"—a principle so pregnant with absurdity, so repugnant to analogy, so much at variance with every maxim tending to preserve an unity of belief and practice among Christians, so hostile in its tendency to domestic harmony, and the peace and order of society, that future generations will exclaim, that in the nineteenth century, a new Babel

had arisen built of Bibles, instead of brick, and cemented with pious fraud, instead of bitumen. Feeble and vacillating, stripped of spiritual authority, and destitute of all influence except that invidious kind which she derives from her temporalities, and the support of the Civil Magistrate, any attempt on the part of the Church to proselyte the Roman Catholics of Ireland, must be desperate. She is restrained by her Articles from adopting the proselyting machinery of the Bible Society, namely the *omnipotence of private judgment* operating on a Bible without note or comment. The Bible Society, however, with its other missionary associates, have entered the field of controversy, under more favourable auspices, but, with no other effect than that of disturbing public tranquillity, and drawing into public notice the talents of many of the Catholic Priests, the skilful exertions of their spiritual authority, and the mutual attachment of the clergy and laity cemented by an identity of religious conviction and temporal interest, but, still more, by that sacred feeling, kindled in Irish hearts, by a community of suffering in the cause of God, endured for ages with the constancy of martyrs. To extinguish, these talents, these attachments, these convictions, these exalted feelings, in the present state of Ireland is utterly impossible. The Bible Societies may as well attempt to subdue the storm by breathing against it. Indeed a little political sa-

gacity, and knowledge of the world, would be an useful acquirement for a *Proselyting* Association, who do not pretend to work *miracles*.

But deplorably deficient, in these qualities, are the ghostly speculators, licensed, indeed, to trade in authorized versions of the Bible, but circulating the crudities of unqualified private judgment without leave or license. They can, it is true, fascinate susceptible females with pathetic tales, spiritual declamation, and misapplied or irrelevant quotations from the Bible. Assisted by his lady, and practising on his simplicity, they can sometimes persuade a country Nimrod that every papist on his estate is fairer game than the fox in his covers;—that it would be a nobler exploit to wrest his beads from the former, than his brush from the latter; that the substitution of papist-hunting for fox-hunting, would effect a great saving in hay, oats, and the wear and tear of hunters; that it would be less dangerous to his body, and if he performed his part with sufficient vigour, infinitely more refreshing to his soul. In many of the lesser arts of detraction and seduction, also, they are sufficiently expert. They can address the hopes, fears, and *touch* of an indigent caitiff. They can,—when they see a poor papist worshipping his God, with heart and *hand*, *sub Jove pluvio*, at the door of an overflowing chapel, —him, they can, without scruple, brand with the

opprobrious name of a wretched craw-thumper, forgetful of the penitent publican, who *smote on his breast*, and said "God be merciful to me a sinner." Yet, all their arts have failed to make any sensible impression on the great mass of popery; though, in some instances, they have succeeded in catching a hungry knave with a gilded bait. But of national character, the ingredients that compose it, and the various circumstances by which it is moulded, they know nothing: or they must have known, that a Bible translated by enemies, authorized by persecutors, and proffered by the indefatigable revilers of their creed, would be in little request among Irish Catholics. An Irish peasant would sooner trust to his oak stick, in an encounter with Satan, than to the celestial panoply of the Bible Society. This institution exhibiting, among its members, so many enemies to the rights, and consequent welfare of Catholics, is regarded, with peculiar distrust, through all their various classes. If the authorized version and private judgment were good things, they conceive that Lord Liverpool, Lord Bexley, Lord Lorton, Lord Roden, &c. &c. would impose restrictions on their circulation, instead of promoting it by premiums and bounties. When the Society offer the peasant one of their Bibles, and tell him it is the bread of life, the latter sometimes thanks their Honors for their present and information, but takes care to exchange *their* bread of life for Irish

aqua vitæ, in the next dram-shop. Such is the case when the gift is received, but the usual way is to reject the gift, and execrate the giver.

It must, however, be acknowledged that the capital and industry of this great company of commercial theologists, is by no means unproductive. It has yielded an ample return of furious passions, and vindictive feelings, from the whole Catholic body. In this manner, it has produced *more sin*, and *wickedness*, in a single year, amidst a population of many millions, than will be counterbalanced by all the good it can effect in a century, from Spitzbergen to Cape Horn, and from California to China. For the extent of its demoralizing effects, in Ireland, I appeal to every impartial observer acquainted with the country, and the proceedings of the Holy Alliance, of Bible Societies, Missionary Associations, and Education Companies, for the last few years. They have, indeed, with their eyes open, incurred an awful responsibility. In labouring to transform Papists into Protestants, they have converted men into demons. Nor is this transformation confined to Roman Catholics. Every grain of acerbity, which had previously dropped into the heart of an intolerant Protestant, shoots under their culture, into rank luxuriance. Religious rancour, gloomy suspicion, and bitter malignity, are every where the fruits of their mission.

From my soul I pity the hard lot of my beloved countrymen, and Christian brethren, the Roman Catholics of Ireland. Their righteous claims, as men and citizens, are ungraciously rejected, though nearly all the great proprietors of the soil, all of every sect who are really generous, *disinterested*, and truly enlightened, join the prayer of their petition. Their religion, so ancient, so venerable, and, in their estimation, so apostolic, so eminently Christian, is damned by every orange reprobate, and denounced, as unholy, by every sturdy saint, and deep-toned missionary. I pity also the delusion, the selfishness, the insincerity, and the flinty hearts of their tormentors. The laborious cultivators of the soil are loaded with every opprobrious epithet by many of those who consume its fruits. A great Christian community are reprobated because they hold, that, in addition to the bloody scene on Mount Calvary, Christ, in his boundless compassion, condescends to be sacrificed every day, by the hands of his ministers, for a guilty and perishing race. The believers of this doctrine are stigmatized as idolaters, because, by the evidence of faith, they discover, in the visible elements, the real and corporal presence of an unseen Saviour, and worship accordingly. Thus, because they, every day, worship Christ in the consecrated elements, they are called idolaters,—because they are, perhaps, ultra-christian, they are stigmatized as anti-christian.

Their leading traducers are the advocates of unlimited private judgment; yet this obnoxious doctrine of Transubstantiation is founded on Scripture—on various texts, in various parts of Scripture, as interpreted by a great majority of the Christian world—a doctrine to which Henry the Eighth in his fury tenaciously adhered, which Luther, and many other of the leading Reformers, could scarcely prevail on themselves to renounce. But what a wonderful being is the clerical hawker of unrestricted private judgment, and authorized versions, without note or comment! He advises the poor inmate of a manufactory, who derives his scanty morsel from the monotonous labour of seventeen hours a day, to interpret the Bible for himself, and derive his religious opinions from it; the opinions thus derived, the Bible Society apostle, it must be presumed, would respect, be they ever so erroneous, as being honestly and conscientiously adopted. But he shows no mercy to the believers in Transubstantiation, though the doctrine rests on Scriptural texts; though it rest not on a far-fetched meaning, but on a literal interpretation of these texts; and though the interpreter be not an ignorant peasant, but all the great, and good, and learned of Catholic Christendom. Yet, in opposition to his favourite principle, and to all the kind and generous affections of human nature, he denounces, as idolatrous, a doctrine

resting on such a basis, and condemns, as devilish, the *public* and *private* judgment that entertain it.

But inconsistency seems to be an element as congenial to the nature of a modern Missionary, as salt-water to the gudgeon of the deep. The whole life of a clerical Bible Society Church-man is a continued series of inconsistencies. He first sets out with subscribing the Thirty-nine Articles; that is, he adopts the interpretation of the Church on all the points of Christian belief; then he joins the Bible Society, and adopts the principle of private judgment in its utmost latitude, which substitutes its own interpretation for that of the Church; then he ascends the pulpit, and, having before his eyes the fear of losing his tithes, or of obstructing his promotion, he extols the admirable provision made by his "pure apostolic Church," for the instruction of the faithful, in all the doctrines of Christianity. The next day he mounts the rostra of the Bible Society, cautions his dear friends to beware of false teachers, and bring every doctrine to the test of Scripture interpreted by the unsophisticated reason of each individual; then he adjourns to dinner with his spiritual associates, and talks, with temperate rapture, to his assembled brethren, of the consistency of his conduct.

The morality of these gentlemen is not always

rigid; it frequently bends in gentle adaptation to circumstances. Let a single instance suffice. One of their practical doctrines is, that a man is not answerable, in one capacity, for acts done in another. Accordingly in his ministerial capacity, he preaches the doctrine of the Church; but in his other capacity of being a good member of the Bible Society, he vehemently inculcates the disorganizing principle that aims at its subversion. Thus the minister of the Gospel is perfectly consistent with himself; the Bible Society orator is equally consistent; but the orator and the minister are still the same man, therefore this man is perfectly consistent with himself. This reminds me of that ancient sage who thought he had two souls, one virtuous, the other wicked. Or rather it reminds me of Doctor Singer, who at a great meeting had been disclaiming all proselyting views for the Bible Society, (a disclaimer, by the way, which nobody believes;) but a Catholic speaker having stated, in reply, that two Secretaries of that venerable body had, in their way to a Bible Meeting held in Carlow, scattered about many Anti-Catholic Tracts; finding that the fact was notorious, the Doctor pleaded, in their defence, that they scattered the Tracts not in their character of Bible Society-men, but in quite a distinct capacity; for that, like other individuals of that body, they were also members of certain proselyting Associations. This doctrine of the

double capacity has the merit of a very extensive application in the affairs of life. It is the doctrine of him who, when detected in sheep-stealing, justified himself by alleging that he detested the theft, in his capacity of an honest man; but loved it, in his heart, in his capacity of a father anxious to provide food for his famishing children. It may be bad taste, or it may be stupidity, but I dislike this modern "double doctrine" less when produced as a plea by the poor sheep-stealer, than when advanced by the learned *Doctor*, in justification of the Reverend Secretaries. The Kildare-street Association, and all the Missionary and Education Clubs zealously co-operate with the Bible Society, in this work of mischief and demoralization. Indeed, whatever may be pretended, the latter are, in strict truth, mere modifications of the former. The great principle of all is the same—the right and duty of unlimited private judgment. In all, the members are generally the same individuals,—the same are their watch-words,—the same their spiritual and imitating cant, viz.,—"famine of the Word of God"—"poor benighted papists"—"priest-ridden creatures, who submit to be whipped and spurred by their merciless riders," &c.

CHAPTER IV.

Education Societies.—Naturally and justly opposed by the Priests.—A Fact in illustration.—Consistent Conduct of the Society of Friends.—Irish Protestants all Quakers in one *respect.*

THE Education Clubs evidently grew out of the Bible Society, and undertook to supply its deficiencies. The latter offered only Bibles and private judgment; these were both refused. Then, to smooth the way for both, the Kildare-street Club stepped forth, with the alluring bribe of gratuitous education for the poor. Panting for that celebrity, which the honourable mention of his name, by a Kildare-street orator, confers, a country squire, or his lady, erects a school-house, which is soon supplied with a rich assortment of Bibles from the next depository. Then addressing the peasant, on his estate,—"Pat, (he says,) education is a fine thing, there is no doing without it in these times, so you must send your children to my school." "But, your Honour, the priest says, that if they go there, they must be reading and *interpretating* the Bible out of their own heads, and, troth, bad *interpretators* they are." "That is the very reason you ought to send them; they will learn to read, that is what you want; and you need not be afraid of the Bible; they will

understand little or nothing of it at their age, the eldest being little more than sixteen." [Here the squire inadvertently speaks truth, while meaning to deceive.] "Why the priest, *your Honour*, says it might be very bad for them to read the Bible without help." "What, you villain, does the priest say there is any thing bad in the Bible?" "Troth, he says no such thing; he says there is nothing in the Bible but what is good; but, along with that, he says, that the devil and private judgment have turned the good of it into bad a hundred thousand times, and will do so again; and God forbid my *childer* should have any hand in that." Here, the squire, unprepared to meet Pat's argument, without fresh instructions from Kildare-street, practises a new evolution, "and, Pat, (says he,) do you think your cabin and potato-garden worth the rent you pay for them?" "Why, I thank God and your Honour, I am not worse off than my neighbours." "Well then, I was just thinking of letting you have them next year again at the same rent." "Oh! God bless your Honour, and her ladyship's Honour, where can we find the like of——" "But mind, Pat, you must send the boys to the school, and the girls too; I tell you they will be able to make nothing of the Bible good or bad; so make yourself easy about that." Of the drift of this proposal, Pat is well aware; in general he rejects it, and is ejected. Sometimes, however, he gives a reluctant consent, for which

he indemnifies himself by co-operating, with the priest, in infusing into the breasts of the young students, at their return from school, a pious horror of every thing Protestant, except—the Constitution.

The term *Protestant Constitution* is styled, by the priest, a misnomer of Lord Eldon, or a blunder of Sir Harcourt Lees, adopted by Lord Liverpool. For this Constitution he expresses the deepest veneration, precisely because it is *not* Protestant. He assures the boys that it is Catholic, from head to foot: that it sprung from Catholic parents, was nurtured by Catholic guardians, that for ages of glory it produced Catholic monarchs, and protected a Catholic people; that it was betrayed at last by lust, avarice, and violence, into the hands of heretics, who, year after year, have been plunging their daggers into its vitals, and disfiguring its fair form. That several Protestants, of high talents and station, lamenting this hard treatment, have endeavoured, from time to time, to bind up its wounds, and infuse a portion of pure blood into its veins, but that their patriotic views have been always resisted by the vermin engendered in the corruption of its sores. Yet, exclaims the priest, with rising fervour, apostrophizing the Constitution, under another image, with the license of Irish fancy, "I love thee "venerable but neglected edifice, though the

"winds of heaven whistle through thy roof, and "the moping bird of night nestle on thy battle-"ments. Yes, thou great memorial of mitred "prelates, and crested chiefs, of all that once "was brave and pious, I love thee much; and "long to be admitted, with my poor flock, within "thy mouldering precincts." Then lowering his tone, he presumes to assert in plain prose, that Protestants have, repeatedly, and deeply, injured our invaluable Constitution, while to them it owes little or no improvement, except the *Habeas Corpus Act*, and, that even this was nothing more than a revival of rights enjoyed in ancient times by Catholic England. Whether this rhapsody be true, in the whole, or only in part, every reader must decide for himself. I attempt only to record the substance and spirit of what I know to be passing about me. But all this is merely an episode, in a theological dissertation, in which Protestant errors, Protestant injustice, and Protestant cruelties are detailed, with a zeal that would do credit to the Rev. Robert Daly, "speaking the truth in charity," to prove Mr. O'Connell an idolater. The detail might be offensive to Protestant ears. Suffice to say, that the loves of Henry the Eighth, the Christian compliances of Cranmer, the virgin purity of Elizabeth, the dialogues of Luther and Satan, and the evidence of Doctor Magee before the Parliamentary Committees, sparkle, like gems, in every part of the narrative.

These powerful antiseptics are repeatedly administered, but, to avoid nausea, in small quantities, till the catechumens, in the opinion of the priest, are sufficiently fortified against the foul breath and spiritual leprosy of the Kildare-street Association. Every cabin, in the country, is the seat of this vast reaction; but these, especially, whose young inmates resort to the newly erected Bible seminaries of education. Such are the effects of exclusion obstinately maintained; and, still more, of proselyting speculations!—a whole nation, goaded almost to madness, and contending, *pro aris et focis*, against a presumptuous, self-commissioned, confederacy of blind fanatics, whose faculties, absorbed in their visionary projects, are incapable of perceiving the mischief they are producing. Will the Government, like the Church, still passively look on, while these men are quoting Scripture, and scattering fire-brands? In many counties of Ireland, the breath of public indignation has, at the late elections, blasted the Orange interest, and left its astonished champions nothing but the spiritual consolation of their brethren of the Bible Society and Kildare-street Associations—a consolation which these venerable bodies ought to deal out largely, as they were mainly instrumental in exciting the reaction which discomfited the friends of exclusion.

Does this yield no matter of serious reflection

to the British politician? And is it nothing that tithes are cried down more loudly than ever, by Irish Protestants, as an intolerable grievance?—The Society of Friends, indeed, from honest scruples of conscience, always resist the payment of tithes, till compelled by stern necessity in the shape of a Vicar General, or two justices; and, on their principles, they are perfectly right and consistent. Why should a man who believes that Christ appointed no order of public teachers, but who relies solely on his own private judgment and divine illumination, pay the tenth, or *any* part of the produce of his farm, to a preacher of the Thirty-nine Articles which would fetter his judgment and extinguish his illumination? He is no friend to the made dishes and spiritual refinements of Church cookery. He sits down to the pure uncommented Bible spread before him, and, with the spectacles of his private judgment, closely examines its good things by the steady light of that lamp that burns within him. He naturally and justly concludes, that a man who pretends to teach others, who have Bibles, private judgment, and assurances of divine aid, as well as himself, must be not only a lover of filthy lucre, but guilty of the sin against the Holy Ghost.

Now this is all extremely fair, honest, and consistent. Indeed I highly esteem the Society of Friends, not only for their general integrity and

unassuming simplicity, but for the undeviating consistency of their conduct. But every Protestant farmer in Ireland is now a quaker in the article of tithes; with this difference, that he does not always put off the payment till his beast or furniture is seized on. Not that every such farmer has been already converted to the principle of private judgment, but that, as he well knows, many of his clergy are dealers in that commodity; and therefore he wonders why men, who can claim no right to direct his judgment, are not ashamed to claim a right to the produce of his land. He frequently remarks to his neighbours that an immense revenue, extracted from the labour of a people already groaning under the weight of parliamentary taxation, is too great a remuneration for a clergy, who, by referring the people to the exercise of their own judgment, virtually disclaim all authority to instruct them in the principles of the Christian religion.—In his opinion, if a man ought to derive his religion from the Bible, as interpreted by himself, he has also a right to administer the sacrament to himself, to make a liturgy for himself, and write sermons for his own use. The Church reading-desk and pulpit would, of course, become useless; or at best, a good sermon from a smooth-tongued clerical orator, like an elegant desert after a substantial dinner, would be but a mere luxury which may be well dispensed with; while a bad sermon

would be too severe an infliction on an enlightened congregation.

Such is the subject of many a conversation among Protestants of the green isle, cordially assented to by the Roman Catholics,—a circumstance meriting the serious consideration of those who think that a Church Establishment is a necessary appendage to the State, or who are convinced with me that authorized teachers are essential to a Christian community, or, lastly, who are persuaded that a perseverance in political restrictions, no longer wise, and in fanatical speculations always foolish, will, on the first fair opportunity, *certainly* lead to dreadful convulsion, *probably* to the dismemberment, and *possibly* to the subversion of an empire.

CHAPTER V.

Cry against Popery.—Its Meaning *and Policy.—Awfully opposed to the Morality of the Gospel.—Toleration.—Popery as it is, and as it is not.—Many of its Observances entitled to much Indulgence.—The Pope —Unfounded Alarms.*

In Ireland nothing is left unsaid, or undone, to throw ridicule and discredit on the doctrine and ritual of Rome. Argument, sometimes

sound, often fallacious, is unsparingly used.—Truth, when it can be found, and suits the purpose, is eagerly called in. But the engine principally employed, is falsehood in its various forms —falsification of history, distortion of facts, suppression of concomitant circumstances, imputation of evil motives in opposition to probability, or experience. Add to these the cruel and horrible insinuation so broadly, and *frequently* thrown out, that oaths cannot bind the conscience, nor honour influence the conduct of Catholics of any rank, when the supposed interest of their religion is concerned. If this bad spirit were confined to the members of our corporations, whose ignorance, selfishness, and habits of animal gratification might be pleaded in mitigation,—were it confined to the instruments of their extortion,—to those numerous expectants, who press forward to unmerited employment through corporation connexion and intrigue,—were it confined to those who profit by Grand Jury jobs, Vestry abuses, the spirit of exclusion, and the impoverishment of their neighbours;—or, lastly, were it confined to mere trading politicians, hot in the pursuit of wealth, or place, and anxious only to please those who can bestow both;—were it confined to all, or any of this description, I would not interfere, I would leave it to the castigation of the ordinary press, to the disapprobation and pity of every man of candour and sound feeling.

They act a natural part;—they are labouring in their vocation;—they find it profitable, and that is all they aim at. When they raise the cry of "Protestant Constitution," does any one imagine that the ideas annexed to these terms, flit, even transiently, through their minds? No; by these words they mean nothing more or less than this—let Papists ever be a degraded cast, and the drudges of the land; but let them drudge for our benefit, and not for their own. Let us have no popish competitors in the job-market. Allow them not to bid against us for the "fat things," which we have so long enjoyed, and know so well how to use. A little pillage and peculation, decently conducted, is the birth-right of every staunch Protestant, and sound loyalist. Why resign to popish aspirants such valuable rights, won in many a well-fought field, by the "red right hands" of our valiant forefathers.

To blame such men, or reason with them, would be equally ridiculous. They have their darling idol,—that, and that alone, they worship, and from it they cannot be detached.

But the reformed Clergy—they ought to be fit objects of expostulation. They may with propriety be asked, why do you join in the cruel, selfish, intolerant cry; why echo the furious yell not of bigotry, but of Mammon? Do you think that

Catholic emancipation would be dangerous to the State? This is a consideration, which on full conviction, may justify the hostility of the mere statesman; but not that of the minister of the Gospel, who ought to be governed, not by sordid views of political expediency, but by the higher and nobler principle worthy of the hero, the man of honour, and the Christian—be just and fear not. Of the controverted doctrines of the Gospel, the ablest men entertain different views: but no such difference of opinion exists among them, on its moral precepts, though, from their brevity, they are susceptible sometimes of a more extended, sometimes of a more limited application. Now, of the thousands of moral precepts, contained in the Scriptures, how few are there which do not imperatively call upon you, directly or indirectly, with all the force of which general propositions are susceptible, in their application to particular objects, to renounce the exclusive system, and extend to your fellow-men of every religious persuasion, the full benefits of the social compact. Take up your Concordance; look into it for the words humility, meekness, mercy, love, justice, patience, charity, neighbour, brother, creature, &c., and then refer to your Bible for the passages at large; read them with the same conviction, that they are the Word of God, with which you peruse the texts relating to the Trinity, to reprobation, election, to the presence of Christ in the sacrament, and the like;

if then, upon mature reflection, you still retain the spirit of persecution, I shall only say you reject half your Bible—you retain its mysteries, because they are above your comprehension—you despise its morality, because it teaches you only the obvious and vulgar lesson of doing good.

To quote all the passages, earnestly and feelingly recommending the honest disposition, the Christian temper of mind, the disinterested and benevolent feelings which would "render to all their due," would be endless, and in citing some, to the exclusion of the rest, the selection would be difficult. Therefore I refer you again to your Bible; read it in the spirit of him who gave his life for the Brethren, and your heart of stone will relent. In explaining away some texts, the sophist and the casuist will employ their arts of deception, but the spirit of the whole, to him who is really convinced of the authenticity of the book, must be irresistible. The Roman Catholic is your fellow-subject—give him the full benefit of the relation; he is your fellow-creature—relieve him; he is your neighbour—cherish him; he is your brother—love him; he is a candidate for a happy immortality as well as yourself—oh! do not blight his prospects, or your own, by nourishing in your bosom, or in his, the hellish passions of hatred and discord. Your system even violates the great duty of common honesty.

It draws a line of separation between Protestants and Roman Catholics, which greatly obstructs their mutual intercourse. Hence, the practice of the Catholic physician, surgeon, lawyer, apothecary, &c., is almost confined to those of his own persuasion, who are less able to reward his professional exertions. The liberal fees, which he might otherwise receive from his Protestant neighbours, are intercepted by their prejudices. Thus he is robbed by anticipation. But you foment the prejudice which withholds the employment, and the remuneration: therefore you are an accomplice in the robbery. This may not be dishonest, in the "private judgment" of a common labourer, or even of a genteel swindler, but you are, I hope, too good a moralist to attempt its justification, unless, from a conscientious disregard of works, you are disposed to expunge honesty from the catalogue of duties, and say with Pierre, "'tis a ragged virtue, no more on't."

Discard then the odious and insidious cant of Toleration, by which you attempt to palliate your injustice. It is an ungracious permission to exercise a right, which, it would be rebellion against God to renounce. What! give a man permission to worship God according to the dictates of that conscience which he has implanted in his breast! Allow him, indeed, to offer his tribute of prayer and praise to the Author of his being, in conformity to that doctrine, and those

forms, which the instructors of his youth, the advisers of his manhood, and his own habits of thought have engraven on his heart, and interwoven with his nature!

What a bold assumption of authority is this, on the part of a creature whose understanding is a spark, who entered into life as if but yesterday, whose existence is almost ephemeral, whose heart is so often torn with anguish, and every joint in his frame liable to its peculiar ailments! You have as good a right to grant your fellow-creature your gracious permission to breathe the air of heaven, as to worship its God. If you have a right to grant either as a boon, you have a right to refuse or retract it. Toleration presumes to grant, as a favour, what it would be impiety to withhold, claiming, at the same time, a right to revoke the grant at will,—a claim which nature refuses to sanction, and at which humanity shudders. While it yields to tender consciences its gracious permission to hold communion with their God, it hems them in, on every side, with powerful temptations. It tells them they must lay their account with forfeiting the favour of the rulers of the land, and the patronage of the great—with seeing the the gates of preferment and office barred against them, the road to wealth and influence broken up,—that they must expect to be, more or less, degraded in the social scale,—and en-

counter too often for their peace, the haughty brow, and contemptuous air of the ruling faction. What a preparation for heaven is this, if borne with resignation; if not, what an engine of discontent;—what a net for immeshing souls, and peopling hell! Yet our boasted liberty of conscience is nothing but this hypocritical, mutilated, trammelled thing, called Toleration, though it is the theme of every interested retailer of commonplace declamation.

Thus a Doctor of Divinity, highly beneficed, concluded his speech at a late Bible Society Meeting, with the imposing declaration, that, "he conceived liberty of conscience to be one of the brightest jewels in our happy and glorious Constitution." Immediately fans fluttered, and a soft and sweet buzz of approbation from the ladies, who are always fond of jewels and finery, greeted the Doctor as he resumed his seat. He was applauded, also, by a few gentlemen who are not in the habit of distinguishing real jewels from glittering paste; who never inquire whether a sentiment be true, but whether it be fashionable. Yet this brightest of jewels, or rather this tarnished bauble, is nothing more than the toleration already described, which unwarrantably and wickedly affects to unfetter the mind, while it leaves the body still loaded with some galling links of persecution's chain. Yet the Doctor is enrap-

tured with this "diamond of the first water." However, it is but just to relieve the Constitution from the learned Doctor's eulogy, and give the undivided praise of this extraordinary indulgence to those enlightened Statesmen, who acting under the authority of the Constitution, and violating its spirit, have passed Acts of simple toleration, to protect the liberty of the subject, and the inalienable rights of conscience. For this purpose they still employ, under the modern name of Toleration, the remorseless tyrant Persecution, whom, however, in compliment to the age, they have deprived of his stake and faggots, his gibbets and ripping knives, his prisons, deportations, and pillories, and limit his Christian exertions to the use of tests, disqualifications, and other milder processes, directed only against the fame and fortunes of unfashionable worshippers.

Having thrown out these few hints, in the way of expostulation with my Clerical Brethren, I beg leave to invite my other Protestant fellow-subjects, to take, with me, a transient glance at that old bugbear, which, for want of a worse name, is styled POPERY, which has done so much mischief in the Christian world, and is still disturbing the repose of nervous ladies, wise ministers of state, and orthodox keepers of his Majesty's conscience. Whoever is possessed by this demon, or infected with this disease, is a

bad subject, according to Lord Liverpool; a bad Christian, according to the Bible Society; no Christian at all, according to the Archbishop of Dublin; half pagan, half Christian, according to Sir Harcourt Lees; while, among all Orangemen, he is every thing that is unworthy of corporate trust, or social intercourse. The Papist, doubtless, is a frightful animal, when viewed at a distance, through a medium of mist; but a closer inspection will rectify the delusions of vision, and exhibit a system of figure and features, not strickingly different from those of an ordinary Protestant, who happens to be out of temper with his cook for delaying his dinner. When our fears are abated, by this discovery, we shall, on calm investigation, find that various notions, performances, and exhibitions, which formerly filled us with terror, are really inoffensive in their nature, though, perhaps, somewhat whimsical. Many of these were introduced into the Christian Church in its brightest periods, and with the purest intentions,—namely, to allure man from the altars of paganism to those of Christ, by a gentle accommodation to his prejudices;—to obviate ill-founded imputations cast on Christians by the adversaries of the cross;—to endeavour to make religion visible, and tangible, and impress it on the heart through the medium of the senses;—to express the doctrines, and forms of Christian worship, in terms borrowed from Jewish rites,

to which they were analagous,—to attract the admirers of the Pagan mysteries, by giving to the service of the Church a corresponding air of awful obscurity and reverential magnificence. The reigning systems of philosophy had also some influence in forming and modifying the opinions and practice of the early Christians; for philosophers, like ordinary mortals, must often be humoured in order to be attracted. The forms, ceremonies, and opinions, thus originated, were, in their nature, necessarily liable to abuse; while new conversions were constantly augmenting their number.

But has not the Bible itself been abused, even by Protestants who have had it by rote? Is not its religion abused, and every day perverted to purposes of widely-spreading mischief? After the death of the apostles, and their immediate disciples, the pious and innocent teachers of these golden ages thought it their duty, in the absence of miracles, now almost withdrawn from the Church, to win men to the truth by humouring their prejudices. They thought it unwise to denounce *all* inveterate habits, and usages; but suffering the *innocent* part of the practice to continue, they laboured to change its object. A sort of compromise took place. Horrid rites, sensual abominations, and some innocent festivities were blended together with the worship of a pagan idol. The abominations were proscribed, the festivities re-

tained; but not in honour of Venus, Bacchus, or Daphne, but of some departed saint whose life was a summary of the Christian virtues, or some respected martyr "who greatly fell" in the cause of truth, and clung to his cross in the midst of his tortures. Even Irish records afford some illustration of this. When Ireland was pagan, various fountains were periodically resorted to by the worshippers of some aquatic or amphibious nymph; but the missionary priests, on their arrival, with more piety than gallantry, ejected the nymph, and put John, or Mary, or Bartholemew in possession of the limpid domain. Again, fires blazed, every year, at midsummer, on the mountains and "high places," in honour of Baal Tineah; at last, the Priests came, not to extinguish the fires (this would have been too dangerous an enterprise) but to bless them, and allowed the converts to make merry on condition of throwing Baal into the flames, instead of roasting their own children. These terms were agreed to, and the fires burn, to this day, to the great delight, if not edification of our rustics. So that it is not improbable that we Irish, now composed of Papists, with a light sprinkling of Protestants to season the mass, would be worshippers of Baal, at this day, had St. Patrick and his priests relied on the Bible and private judgment for our conversion.

For further illustration, which my limits do

not permit me even to attempt, I refer my Orange reader to the Ecclesiastical History of Doctor Mosheim, a celebrated Protestant divine, and sincere lover of truth, in the pursuit of which, however, he was not obstructed by any charitable weaknesses in favour of popery. By perusing half the first volume of this elegant and instructive work, he could scarcely fail to discover certain important facts, which neither the Rev. Baronet, nor the proselyting Associations have thought fit to disclose. Sir H^t^, indeed, has told him that the papists have borrowed largely from the pagans; but he forgot to inform him that Christ borrowed baptism from the Jews, which, with many other rites, the Jews borrowed from the Heathen, and borrowed for the purpose of facilitating their conversion. Surely many observances are indifferent in their nature, and derive their importance from the use to which they are applied, and the authority on which they rest. Besides, we are not to condemn every thing merely because it is pagan. Were there not some "honest fellows" among the Heathen, who could relish a good chase, a good dinner, and a bottle of wine as pure and old as "Sneyd's eighteen hundred, and eleven?" Would the Rev. Baronet proscribe the transports of the chase, and the pleasures of the table, as heathenish? Would he condemn the "honest fellows" of our days to moderate exercise, beef-stakes, and water-gruel? Our Mis-

sionaries, also, are constantly assuring the papists that part of their ceremonial and service is pagan. Mosheim tells us the same, but tells us, also, that these forms and usages were first admitted by the most pious of men, for the best of purposes—the conversion of idolaters, and the salvation of souls. He tell us, also, that this principle of accommodation, to Heathen prejudices, was adopted so early as the second century. Now, can it be believed, that the Christians of that day, whose piety was ardent, whose minds were humble, whose affections were chastened, and who regarded this life as only a passage to a better,—men whose grandsires conversed with the apostles, transmitted their sayings to their children, and cheered the faint-hearted in the rugged path of duty, by their animating examples,—can it be believed that men whose faith was a rock, whose business was charity, whose relaxation was prayer, and whose ambition was heaven, could be weak or wicked enough to graft cancerous branches on the tree of Christ's planting? No, the observances were innocent, though afterwards abused, and unnecessarily multiplied. But let us, in candour, ascribe these subsequent abuses to human frailty, and ages of darkness, and not indulge in virulent invective against our fellow-men, and fellow-Christians, who think they cannot correct the abuse, without exploding the use, nor explode the use, without

arraigning the piety or prudence of the primitive Christians.

Let us never forget that the foundation of almost all the observances of a *purely religious nature*, which distinguish Roman Catholics from Protestants, was laid, according to the latter, so early as the second or third century, while the former extend their origin to the apostolic age itself.—The doctrinal and practical purity, which distinguished the professors of Christianity in these primitive times, is attested by our historians, and resounds from our pulpits; yet the observances which they sanctioned, are the subject of the bitterest invective, not only in their multiplication and abuse, but even in their very *principle*. Is this consistent, is it generous, is it dignified? Do I recommend to Protestants the adoption of these observances? No; if attempted to be imposed on myself, I would resist it at the risk of life. Do I claim for them unqualified approbation? No, for the observances themselves I claim only some indulgence, for the sake of their founders;—I claim little more than good-natured neglect, the absence of virulent abuse, and the "charity of silence." But for those who adhered to them for ages, whose conscience, neither the sword of the conqueror, the loss of rank, or the terrors of execution, proscription, and poverty, could seduce—for those who gave the amplest proof

which men could give, that they valued their religion more than life, and whatever makes life desirable,—for those I would claim more—I would claim the plaudits of the man of honour, the generous pity of the Christian, and the favour of an enlightened legislature. I would consign theological rancour to proselyting orators; dread of competition in the job market, to Orangemen; and apprehension of revolutionary movements, to women and cowards. In early life, and in the gallery of the Irish House of Commons (for Ireland had then a house of her own) I heard, with strong emotion, a speech of the late William T. Jones, an advocate of Catholic claims, in reply to an exclusionalist, who apprehended all manner of evils from concession. The truly Hon. Member after replying to the arguments of his apprehensive opponent, affirmed, in a burst of manly feeling, which extorted the applause of the most hardened monopolists on the opposite benches "that were he convinced that the worst apprehensions of his adversary would be realized, and that the Catholics would repay benefits received with ingratitude and treachery, yet he would not be an advocate for punishing future delinquency with present disability; he would first restore their just rights, and then fight them over again at Aughrim." If the sentiment included in this honourable and manly declaration had been always the mainspring of political conduct, there would be little fighting

against open rebels by day, or Captain Rock by night. Such policy would be as safe as it is generous. But from the political discussion of the question, I mean, as much as possible, to keep aloof. It has been amply discussed by the ablest men. To their reasoning I could add little or nothing, nor do I like the department of a mere compiler. I return therefore to my Orange friend and his scruples of interest or conscience.

He takes it for granted, I suppose, that the papist never says his prayers, nor has prayers to say; that he only listens and gazes on, while the priest chants in Latin a mysterious something, half charm, half prayer, and has himself nothing to do or say, except to wonder that so little is said or done. The truth however is, that while the priest is thus employed, and well employed, for what the Orangeman can *prove to the contrary*, the congregation are following him through various forms of prayer, either in good Irish, or the best English their prayer-books afford. Certain also it is, whatever well-informed loyalists may assert, that papists use our three Protestant creeds, namely, the Apostles, the Nicene, the Athanasian, and affirm that we borrowed all three from them, and not they from us. That this is true, I neither affirm nor deny; for I detest controversy, would extinquish it if possible, and in its place rekindle the lamp of charity, and feed it with the sensibi-

lities of our nature, and the graces of the Christian character. But will it be believed that papists have the Lord's Prayer, offer it up as fervently as we do, and perhaps with as much effect; that they know, at least, as much of the ten commandments (for I must still keep clear of controversy) as is fully sufficient to make them good subjects, and excellent neighbours. If, then, our vigorous Protestants admit these facts, how can they believe with the A. of Dublin, that the papists have no religion, unless they also believe, as does probably his Grace, that this doctrine and practice are neutralized by the celibacy of their clergy, and periodical starvation. This last charge, however, the papists contend is a foul calumny, for that there is as broad a distinction between starvation and fasting, as between life and death.—They also assert that fasting is firmly founded on Scripture; that our Saviour, in his own person, has given us a striking example of it, and described its efficacy as most powerful, when combined with prayer; though he did not in express terms, enjoin it on the faithful; probably, less corporate bodies might be disgusted with Christianity itself, if clogged with either abstinence or fasting. Then, to soften the prejudices of the Alderman, they humbly submit, that occasional abstinence enables the practitioner to return to the groaning table with improved digestive powers, increased sensibility of palate, and energy of execution. But the hint is

lost on the gourmand; he hates the prescription and the prescriber; and Catholics are still excluded from our corporations.

As to the celibacy of the priests, this is a delicate subject; and here also a good case is made out, but not at all to the satisfaction of the ladies or of the Established Clergy. The latter think, that to make celibacy a qualification for holy orders, is to push the principle of abstinence to a most unconscionable length, and a tacit reflection on themselves who are as devoted to "wedded love" as the gayest of the laity. The ladies are highly offended, calling it an unwarrantable exclusion of their sex from the Church, and an impeachment of the divine ordinance that made us male and female. Being not at all disposed to enter the lists against metaphysical or theological prize-fighters of either sex, I can only state, briefly, what the priests set down on the per contra side of the account, namely, that a clergyman, who adds a wife and family to the cure of the souls of a whole parish, may more justly be charged with "divided allegiance" than the papist who owes spiritual submission to the Pope, and temporal obedience to his King. The great and just complaint of every preacher, in every pulpit, is that temporal things maintain too strong a hold on our affections, while our spiritual concerns hang so loosely upon us, that they are displaced

by every passing breeze and sudden movement. But the King and the State are the sole guarantees, to the papist, of the good things of this life, and this only on condition of good behaviour: the Pope can do no more than insure them the good things of the next, on the same condition; therefore, on the principles of human nature, it is easy to see, in case of a rupture between the spiritual and temporal powers, on which side the scale of popish adherence would preponderate. Were Leo XII., of a querulous disposition, he might indeed with some propriety complain of the divided allegiance of the Catholics of Ireland, because of its inequality, knowing that by far the larger share of the divided article is reserved for his Majesty King George the Fourth, while his own remnant is so meagre, unsubstantial, and intangible. On the same principle, according to the papists, the heart of a married clergyman is unequally divided between his family and his parishioners, the former too often engrossing almost the whole mass, with all its throbbing sensibilities, while the latter seldom retain possession of more than the *pericordium*. The ladies, offended by the apparent insensibility of the Romish priesthood to nuptial endearments, are requested to turn their attention to the many well-educated and highly-gifted Catholic females, who voluntarily and deliberately embrace a single life, which they devote, "without money and without

price," to acts of unwearied beneficence, forming the hearts and enlarging the minds of the poor children of their *own* persuasion—a drudgery which would become intolerable, if exalted piety did not render it delightful. Yet many of these self-devoted ladies are interesting and beautiful, as well as accomplished, and could have readily obtained husbands among the laity of their own persuasion, were they not convinced that there is a state of higher bliss than matrimony, though a sacrament, can afford, for which they can prepare with less interruption beyond the precincts of that sacred institution.

But there is no tenet of the Church of Rome that gives more offence to the Clergy of the Established Church, than the claim of infallibility. Yet this means, I believe, no more than that the representatives of their Clergy, assembled in a general council, duly convened to declare the opinion of the Church on a question involving some important point of doctrine, are directed, in their decision, by the Spirit of God, which they previously invoke. Is this, the Roman Catholics ask, a fit subject of ridicule and reproach, on the part of men who contend that themselves can do nothing acceptable to God without the divine aid? Or do these favourites of heaven claim a monopoly of spiritual, as the Orangemen demand, as their due, the exclusive possession of temporal bless-

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ings? Are the pretensions of every Protestant enthusiast to be admitted, or not called in question; and is a great deliberative assembly of Christians to be scoffed at for maintaining, on Scriptural grounds, that the Spirit of God directs their proceedings. Christ, they assert, "built his Church on a rock," denoting its stability, and promised that "the gates of hell should not prevail against it:" on that rock it has stood, visible and immoveable, to the present day; yet the promise is violated, if the hellish brood of idolatry and error have been permitted to issue from the gates of hell, and force their way into the Christian sanctuary. To establish the point, still more strongly, various other texts are quoted, which I must omit, as neither on this, or, indeed, on any other point, does my space allow me to do more than throw out a few hints.

But the Pope—that mighty fisherman! that formidable rival of British power and British valour—that roaring lion of popery, who goes about seeking what sleek Protestant he might devour—that dauntless knight of the golden crosier, at whose dread name Sir Harcourt turns pale, Lord Liverpool's caution takes the alarm, and the Chancellor's doubts give place to awful convictions of impending danger. How shall I approach this representative of Gregory the Seventh, and other triple-crowned sovereigns, of high renown and

soaring ambition, whose royalties, instead of waifs and sturgeons, were fertile islands; and newly discovered continents,—who said to the earth, be still, and to the sun, move thou for ever in the zodiac—how shall I approach this exalted spiritual and temporal potentate, who stamps on the ground, and up start armed legions; who said to Protestant Britain, crush me my imperial foe, and down sunk Napoleon like a fallen star; and who may hereafter say to O'Connell or Lord Killeen, slay me that sultan of heresy, Sir Harcourt Lees, and a consecrated rose shall reward the pious deed. Who can adequately describe the lion of the seven-hills, his mighty paw, his irresistible jaws; that universal monarch by whose *permission* Charles the Tenth wields the scepter of France, and Ferdinand, that great antitype of Philip the Second, terrifies the nations with the formidable power of Spain,—who, every year, plucks a fresh quill from the wing of the Austrian eagle—holds Sardinia in bondage—extorts a white palfry from Naples—compels the United States of America to give unrestrained liberty of conscience to the Papists of that vast continent—overawed England into a similar concession to her Canadian subjects,—whose dispensations and bulls, and anathemas fall with more fatal effect than Congreve's rockets—who subverts thrones, plants his foot on the necks of princes, electrifies our Commander-

in-chief, fills the earth, and perhaps the whole solar system, with the terror of his name!

But here, the exclusionist, delighted with the above picture, and with the painter for drawing it, smilingly asks, are these, my good sir, really your ideas of the Pope? Indeed, sir, or madam, they are not: I give them to the public as *your* ideas, having collected them, by inevitable inference, from your reasonings on the subject of Catholic emancipation, and divided allegiance. As for me, I am fully persuaded that the present Pope is one of the most harmless old gentlemen in Europe; that such his successor *must* be, and that such have been his predecessors for a considerable period. To ascertain the character of the Popes of the present century, their power, their influence, their capabilities of good or evil, I do not push my researches into the darkness of the middle ages, nor to the tempestuous period of the Reformation, when the influence of religion on men's minds, was inversely as the fury with which they contended for it. I do not look for the character of the present Pope in the mouldering records of the twelfth century: nor can I persuade myself that any of the successors of St. Peter, who lived in our times, have sat for that picture of unprincipled usurpation, and ruthless ambition, which, in remote ages, had humbled, to the dust, imperial pride and power. But now, ambition beats

as temperately in the breast of the Bishop of Rome, as in that of the Archbishop of Canterbury. The most aspiring ambition, when all hopes of gratification are withdrawn, flags, and subsides into sullen contentment. A man never feels an inordinate desire of flying in the air, because he is destitute of wings; and the Popes of our day are quite convinced that the means are wanting which enabled many of their remote predecessors "to shake one world with the thunders of the other." Men are no longer machines in the hands of an aspiring priest. They can not be persuaded that God would be served by violating his commandments, and dissolving the bonds of society. The laity are, every where, so enlightened, that the influence of the clergy, when directed to *their own aggrandisement*, is almost extinguished: that it may be kept alive, it must be exerted, not for their own interest, but for that of their flocks. In Ireland, especially, this is the case. Under the Cortes of Spain the authority of the Pope was reduced as low as was consistent with his supremacy, and the wretched Ferdinand, that most incurable of bigots, outstrips, in his blind zeal for its restoration, even the Pope himself, whose humanity and good sense refused to consent to the re-establishment of the Inquisition. But the indignation of his *Catholic* subjects would, long since, have hurled this *popish* tyrant from his throne, were he not upheld thereon by a foreign force, acting

under the orders of legitimacy, in whose moral code, savage cruelty, and inveterate bigotry, are venial offences, or vigorous virtues. What a maturity of judgment, even in their infant state, has been displayed by the Catholic republics of South America! How little are Bolivar, and his compatriots disposed to become the tools of papal usurpation. In France, if we search for bigotry, we *must go to Court;* there we shall find it closeted with legitimacy, each endeavouring to advance its own selfish views by supporting the other. In Ireland, we find the Catholic prelates directing ecclesiastical matters, as they please—the Pope attending to their remonstrances, adopting their views, and giving completion to their wishes, by ratification in regular form, and the sanction of official signature. In short, the Pope is nothing more than the mere spiritual head of the Roman Catholic Church, and its centre of union; and, even in this capacity, his authority is occasionally encroached on, sometimes by Protestant, but more frequently by Catholic princes. What an insult, then, to a mighty monarch is the wretched cant of divided allegiance—allegiance parcelled out between the sovereign of the British empire, and a feeble ecclesiastic, employed in fingering his rosary, weighing mortal sins, and consecrating Bishops nominated, or recommended, by those whom he dare not refuse. Exclusionists ought to consider that

to charge the papists with divided allegiance, is to affirm, in other words, that his Majesty holds the affections of his Catholic subjects in joint tenancy with, what Orangemen call, a drivelling old papist, who, as *such*, according to Mr. Wolff, lives "on vegetables and sour crout," in an unfashionable old mansion, on the bank of a muddy rivulet. Is this complimentary to the monarch? Is it the language of loyalty?

CHAPTER VI.

Popular Objections.—Popery unchanged and unchangeable.—Disregard of Oaths.—Exclusive Salvation.—Archbishop of Dublin.—A startling Inference from his Grace's celebrated Antithesis.

WHEN the restraints of conscience are removed, nothing is easier than to call an honest man a rogue, and to treat him accordingly, if injustice be supported by power. To justify oppression, under the pretence of promoting the cause of truth, it is frequently and confidently asserted, that popery is unchanged and unchangeable. Hence it is inferred, that the disabilities and sufferings of the papist should be perpetual. If the above position means that the doctrines of Christianity, as held by Roman Catholics, are unchanged, I believe the position is true; and it does them credit. All

our ablest divines, and among the rest, his Grace the Archbishop of Cashel (Dr. Laurence) in his late Visitation Charge, allow that all the essentials of Christianity are preserved in the Roman Catholic Church. It is, therefore, no slight praise to say that they still steadily adhere to these great truths, and will always do so; that they are not "tossed to and fro by every wind of doctrine;" that they are not liable to those varieties, and fluctuations of opinion, which have discredited Protestanism, and been so often lamented by its best friends.* The Roman Catholics ought to be highly gratified by this compliment; and thus, among the Baalams of our day, as of old, the lips which open to curse, pronounce a blessing. But, if it be meant, that the same encroaching spirit of frantic ambition, which animated ecclesiastical tyrants in ages of darkness, when men's faculties lay dormant, when credulity only was broad awake, and ready to believe, that whatever was given to the Church, was given to God;—when Popes thought, or pretended to think, that the affairs of this world could not prosper without their intervention,—that they were the delegates of the Most High, and the instruments of his providential administration;—if it be asserted that such are the claims of the Holy See, or the pretensions of the Roman Catholic Church, or the

* See Appendix, No. 1.

opinions of the Catholic laity of the present day, —the imputation is equally false, unprincipled, and insidious. It is refuted by the daily practice of every district in the Catholic world, by the acts of independent States, whether republican, or monarchical, by the solemn declarations of universities, canonists, and professors of divinity, and by the oaths, either sworn, or tendered, of the whole Catholic body. I do not envy the casuist, or divine, who circulates Bibles without note or comment, and resists such evidence as this. *I do not envy, but I am astonished at him.* I am astonished that he has imbibed so little of the spirit of Christian morality, as to flatter himself that the pecuniary relief, which he dispenses to a few famishing individuals, can atone for the sentence of proscription grounded on false, frivolous, or uncertain pretences, which he pronounces, in the hardness of his heart, against the most numerous community of Christian worshippers. He cannot but know, in spite of his casuistry, that by indulging in invective, and withholding concession, he strikes at the character and prosperity of millions; that he obstructs their chances of promotion; endeavours to exclude them from the high road to wealth; sends the pangs of disappointment to prey like vultures on their hearts; and consigns them to a state of hopeless degradation, while he excites and inflames all the vindictive and malevolent passions to which the

human frame is liable. What says the Bible to this? Lay your hand on your heart; invoke the Spirit of Him who died on the cross for the "emancipation" of sinners, and answer the question.

To talk of papal dispensations, and disregard of oaths, on the part of Catholics, *must* be the cant of party spirit promoting its own selfish views, and not the language of conviction or truth. Were an estimate to be made of the comparative credibility of Protestants and Catholics, *as such*, the decision, on the principles of common sense, would be in favour of the latter. The sanctity of an oath has been interposed between the latter and the attainment of power, station, rank, and the emoluments of office, and the barrier has proved effectual. They passed through the ordeal, unsinged, and unsullied. In similar circumstances, I hope the conduct of the Protestants would be equally firm, and conscientious, if put to the test. Here, however, we have only hope in favour of the Protestants, but on the side of Catholics we have certainty. The former *might* sacrifice the world, and its seductions, to their sense of the obligation of an oath, the latter, *have actually done so*, have been doing it for ages, and are doing so still. But where was the Pope, and his dispensing power, all this time? and why does he not, even now, as joint tenant with his Majesty, look with pity on the privations

of his Irish subjects, for such they must be, if they yield him allegiance in the whole, or in part? allegiance, in propriety of speech, with deference to the premier, signifying the duty which a subject owes to his sovereign. But as it would be extravagant and unjust, to charge the Protestant body with a disregard of oaths, because, not having been put to the test, they cannot appeal to their conduct in refutation of the charge; is it not monstrous impudence and wickedness to bring against the Catholics a similar charge, which can be so easily repelled by the positive evidence of facts, and the incontrovertible testimony of successive generations?

Oh! but papists deny salvation to heretics, and reserve it exclusively for themselves. Then it seems they are exclusionists and monopolists, as well as the Orangemen. This is a heavy charge, and creditable to neither. If the papists affirm that heaven is purely Catholic, and refuses admission to Protestants, the Orangemen swear that the Constitution is Protestant, and will not receive Catholics. But, as this language may be nothing more than the expression of irritated feeling, on both sides, it ought to be forgiven, if it terminate in empty noise, and passionate ejaculation. But the Orangeman evidently proceeds to overt acts; he not only says, to the Catholic, you are inadmissible, but he labours hard to keep him so; he

moves heaven and earth to perpetuate the disqualification; and his efforts have been crowned with success. Thus, his design of injuring his neighbour is not only conceived, but expressed,—not only expressed, but carried into full and effective operation and action. Now, if it can be proved that the Papist not only denies salvation to Protestants, but strains every nerve, to keep the gates of heaven barred against him,—that his efforts have been successful hitherto, and likely to be so hereafter,—if these facts can be clearly established, I would punish both parties—the papist, by continuing his exclusion from the full benefits of the Constitution, a few years longer; and the Orangeman, by appointing a commission of inquiry into corporate abuses; the commissioners to consist entirely of liberal Protestants, to the exclusion of Orangemen and Papists. But, *non constat*, why the commission should not immediately issue against the corporations; and in the mean time, more evidence should be sought for, to prove that the papists have *successfully* laboured to promote and perpetuate the spiritual exclusion above-mentioned; but in common justice, let them be deemed innocent till their guilt be fully and fairly established. If the charge mean no more than that they entertain a mere speculative opinion that Protestants cannot be saved, this, in its rigorous sense, is maintained by some theologians, and denied by others. Of this we have lately had a remarkable instance

in Ireland. But let us suppose it to be the universal opinion of the popish doctors; still I am convinced that the accusation, though theologically true, is practically false. Every candid Protestant, who has had opportunities of ascertaining the fact, will agree with me, that educated Roman Catholics are much more charitable in their sentiments, on this subject, than individuals of the same rank in other Christian sects. Even the Irish peasant, while he follows the hearse of a Protestant neighbour, who had been, in his life-time, a kind-hearted man and good landlord, regrets with a sigh, that his sojourn in purgatory must unavoidably be long; but is fully assured that his good works will bring him out triumphantly at last. But, in case the deceased had been an oppressive landlord, or corrupt magistrate—characters not uncommon in Ireland—the peasant regards his fate with the orthodox rigour of a Kildare-street Protestant; for him he seldom thinks of purgatory, and still less of heaven. Will it be asserted that Protestant peasants,—that the serious ultra-Protestants of the Established Church, and they are a numerous fraternity, have more charity than this for the departed souls of superstitious papists? Long experience and observation enable me to answer confidently in the negative. The truth is, the imagination of the Protestant saint is more largely replenished with terrific representations of endless tortures, than that of the Catholic

saint. Good works, *per se*, have no weight with the former; they have much with the latter, perhaps by way of set off. This may be erroneous doctrine; but it certainly tends to invigorate charity. So does the doctrine of purgatory: it enables the survivor to hope for a temporary residence for a deceased friend, of any religious persuasion, till he be fit for heaven. Also prayers for the dead have a tendency to soften the heart; and many a sigh and pious ejaculation, from a wounded spirit, escapes to heaven in favour of a departed benefactor, while his heresy is forgotten, or consigned to a singeing process in purgatory. The Catholic saint fixes his thoughts more frequently on the mercy of God, the Protestant saint on his justice. The former thinks that prayers, sacrifice, oblations, &c., are never offered up in vain. The latter has but few of these to offer, and these few he conceives to be quite ineffectual, not only without faith, but without faith consisting of a determinate number of articles, explained, in a determinate manner, into a mysterious meaning embraced with a fervour proportioned to its incomprehensibility. Whoever entertains a different view of the subject, him he regards as a lost and perishing sinner. When the religious Catholic dwells on the tender mercies of God, and the religious Protestant on his inflexible justice, each is right, as far as he goes; but the mental habit of the former is surely more favour-

able, than that of the latter, to feelings of charity for the souls and bodies of his fellow-creatures. We ought to form our judgment of religious sects from the *general spirit* of their religion, from their ordinary feelings, sentiments, and conduct, and not from the metaphysical abstractions and dogmas of interested or presumptuous theologians. I cannot persuade myself that it is the real opinion of the Archbishop of Dublin that Arius, Pelagius, Faustus Socinus, Servetus, Price, Lindsey, &c., are damned to all eternity, though he acknowledged in substance before the Committee of the Lords, that such is the doctrine of the Athanasian Creed, and consequently of the Church of England. But let us recollect with what reluctance he made the acknowledgment, how often he parried the questions addressed to him by the ingenious pertinacity of his examiner, with what dexterity he attempted to baffle the querist by drawing him off from the damnatory clauses of the creed, by enclosing him in its parenthesis, and involving him in its metaphysical obscurities. Nor did he submit, at last, till his skill had been exerted in vain. Then, indeed, it was, in *substance*, acknowledged by a Protestant Archbishop, who, without contributing to its funds, declares himself the warm advocate of the Bible Society, and consequently of its great principle, the unlimited right of private judgment,—it was, I say, acknowledged *substantially*, by his Grace the Archbishop

of Dublin, that the Arians, who once constituted, perhaps, a majority of the Christian world, that all the Pelagians, Semiarians, and Socinians, who passed into eternity before our time, have, "without doubt perished everlastingly," and that the followers of this doctrine, in our day, many of whom in moral conduct, are models of imitation, and, in science, either patrons, or proficients, "cannot be saved," but "*shall* without doubt perish everlastingly."* Had the same searching questions, on the same subject, been administered to the Doctors Curtis, Murray, and Doyle, they would, I doubt not, have made the same acknowledgment, though with less charitable reluctance than his Grace the Archbishop of Dublin. But, in addition, they would, I presume, like other Roman Catholics, declare their conviction, on the grounds both of reason and Scripture, that the dreadful sentence may not extend to invincible ignorance; that circumstances of birth, education, and early impressions, *will* probably be admitted in *mitigation* at the bar of heaven, (here the importance of purgatory would flash on the minds of the popish Doctors,) and, if the conscience of the accused should not condemn him, at that bar, that the mercy of the Judge will acquit him. Whether this be a part of that system of casuistry, which his Grace imputes to educated men, who make up their minds to live and die in the popish

* See Appendix, No. 3.

faith, I know not; but if it be, I certainly like it better than any of the many specimens of that ingenious art, which I have lately met with in the numerous publications of our Bible Society divines. Indeed, the artless integrity, and manly simplicity, of his Grace the Archbishop of Dublin, will, probably, reject the use of such casuistical refinements, in behalf of the departed souls of *popish idolaters;* and the other clerical "lovers of truth," in the bosom of our Church, will be comforted by his example, in their firm adherence to a rigorous theology.

I am almost confirmed in this opinion, by the celebrated words of his Grace's first Visitation Cherge—"the one (Catholics) possessing a Church "without a Religion, the other (Protestant Dissen-"ters) possessing a Religion without a Church." These, I believe, were the words as they originally stood. But they gave offence, and out came an emended edition in which the words ran thus— "the one possessing a Church, without "what we can properly call a Religion, and the "other possessing a Religion, without what we "can properly called a Church." Indeed the passage is evidently elliptical; his Grace supplies the ellipsis in the part which gave offence; let us supply it in the *remaining* places, and the passage will read thus—"the one possessing what we can "properly call a Church, without what we can "properly call a Religion; and the other posses-

"sing what we can properly call a Religion, "without what we can properly call a Church." To the emended passage was annexed a note, with which I first present the reader, but, (to avoid the frequent repetition of his Grace's words,) in distinct verses, with a few short remarks on each.

HIS GRACE'S NOTE.

1. Protestants, whose first principle it is to hold the free use of Scripture to be essential to true religion,

1. This tenet, whether held or not held by Protestants, is not true: Adam, Cain, and many of the patriarchs had true religion before the Scriptures were written: surely Abraham, the father of the faithful, and Melchizedek, the priest of the Most High God, had true religion before the Bible existed; and did not the multitudes, converted to Christianity by Christ and his Apostles, before a line of the New Testament was written, "possess" true religion? But, surely, all these had not the "free use, nor any use, of Scriptures."

2. can never admit that to be true religion which forbids the use of the Scripture:

2. Whether they admit it or not, we have seen that true religion might exist without the Scriptures: but it is not true that the Church of Rome forbids the use of the Scripture. They acknowledge the

right of every one to read the Scripture; but they insist that the Church of Christ has authority to limit and regulate, for good reasons, the *exercise* of that right; as the legislature limits and regulates the exercise of our natural rights, for the greater security of the rights themselves.

3. nor can they, who build the entire profession of the Christian Faith on the Word *of God,*

3. All Christians build the entire profession of their Faith on the Word of God; (O! that they would *build* their practice also on the same foundation!) but the Catholics contend that the appellation is not confined to the books received by us as canonical, but extends also to the Apocrypha and tradition. From the Apocrypha, however, though not exclusively, they derive, I believe, but one single tenet—Prayers for the Dead,—a practice not very wicked, and which recommends itself strongly to human feelings. If they be mistaken as to the canonicity of the books (which is somewhat doubtful) they cannot be much injured by their perusal, as *our* "Church doth read "them for *example of life* and "*instruction of manners,*" though "it doth not apply them to establish any doctrine." As

to tradition—that many observances and precepts of inferior importance, conducive to piety, though *not essential* to salvation, and therefore not recorded in the New Testament, might have been given or approved of, by Christ or his Apostles, is surely not incredible, and can never be disproved. These, the Catholics affirm, and attempt to prove, have been preserved by the tradition of the Church, which also includes the opinions of the early Fathers on many points of discipline, doctrine, and Scriptural interpretation. The case then stands thus—Catholics are laudably anxious that no part of the Word of God should be lost: Protestants are as laudably anxious that the word of man should, by no possibility, be added to the Word of God. Should we not, in charity, applaud the principle of each, and only regret that they quarrel on the subject?

4. concede the attribute of Christianity, in its vital character and in its proper sense, to a form of belief, which subjects the Word of God to the authority of man.

4. So far as the last words of this verse allude to the charge of "forbidding the use of the Scriptures" I have already touched on the subject by stating the real doctrine of

the Church of Rome: so far as they relate to the authority, claimed by that Church, to interpret the Scriptures for the laity,—this is precisely *what the Church of England has done*, in its Articles, Homilies, &c., as already shown at large. So far both Churches were right. But when they proceeded to encourage, or consent to enactments imposing penalties or disqualifications or recusants, there they were awfully wrong. In endeavouring to maintain *their own views* of religious truth, they violated the divine morality of the Gospel of Christ. But, for many years, these two great bodies, which almost divide the Christian world between them, seem to have looked back, with shame and regret, on their mutual infringements of the rights of conscience, and to have commenced a new career of charity and Christian forbearance. It is however painful to see the Catholics likely to outstrip the Protestants in the race of benevolence. In Ireland, at least, Protestantism, among some of its votaries, still retains its old *popular* signification of hatred to papists.

The remainder of the Note seems to be merely an apology for the obnoxious words, (and yet a justification of them,) to the full benefit of which his Grace is entitled; I therefore pass on from the note to the text itself. The passage, for its length, is pregnant with meaning, to an unexampled degree; and his Grace himself allows it "has given offence." Let us treat it as we do the natural fruit of the orange-tree; let us squeeze it gently, express its juice, and ascertain whether it be balsamic or caustic. The papists have nothing that Protestants, without polluting their lips, can call a religion. All is superstition and idolatry. How, indeed, could their unfortunate laity, who have not the "use of their Scripture," possess "Christianity in its vital character and proper sense." Their clergy keep the Scriptures all to themselves; they are Biblical monopolists; surely, then, on his Grace's own principle, the popish priests must be excellent Christians,—Christians, in "the vital character, and proper sense" of the term. They have "the free use of the Scriptures;" they hold them fast; they will not part with a single leaf, with or without note or comment. They keep all the text to themselves, and give nothing but the comment to the people. Therefore, the popish clergy must be the best Christians on earth, while the popish laity are the worst. But the papists "possess a Church"—what the most squeamish Protestant might fairly call a Church, of course, because it is so excellent and apostolical. This

we might, with his Grace, naturally expect, as their clergy, who, like their brethren of other sects, call themselves the Church without including the laity, enjoy a monopoly of Bibles, and, consequently, constitute an admirable Church in their clerical character. But this Church has much more to recommend it. It rises in pyramidal beauty, from the lowest clerical orders, passing through vicars, rectors, archdeacons, deans, bishops, metropolitans, archbishops and patriarchs, contracting as it rises, till it terminate in his Holiness. *It is, indeed,* a magnificent structure, of which the Pope is the spire, and the cardinals the Corinthian capitals! I do not wonder that his Grace should admire it, but am surprised that our Church has stopped short, and does not by his advice, make some further approximation to its apostolical perfection. What rational objection could be started against Protestant Cardinals, and a Protestant Pope? And is not Dublin of sufficient importance to be the residence of a Protestant patriarch? But, the dissenters—they have what every Church Protestant may call a religion par excellence, for they have Bibles and private judgment in abundance: but, unfortunately, they have nothing which we can properly call a Church. They have no hierarchy, no tithes, no glebe, no large tracts of bishop's land, their teachers subsist only on voluntary contributions, and the scanty pittance of a *regium donum.* Surely this

sad state of things is quite inconsistent with the idea of a good sound Apostolic Church.

But is there not something apparently paradoxical in all this? The papists possess a pure Apostolical Christian Church, yet, having nothing that deserves the name of religion, they cannot be Christians; while the Protestant dissenters, who possess the Christian Religion in perfection, cannot belong to the Church of Christ, as they have no Church at all. Will his Grace explain this: or are we to receive it as a mystery which our faculties cannot penetrate? From his Grace's position, however, if true, another and a startling truth plainly and *inevitably* follows. For, if the dissenters "possess" a true religion, and are in the enjoyment of that inestimable blessing for more than two centuries, without possessing any thing deserving the name of a Church, it unquestionably follows, that a Church is not essential, or necessary to religion; and a strong presumption arises, that it is altogether useless in a Christian community. This presumption is strengthened, if not ripened into certainty, by the other branch of his Grace's antithesis. For, if the well-constructed popish hierarchy has not been able to exclude a thousand errors and superstitions from the Christian system, it is scarcely too much to infer that a Church is useless; but, if the hierarchy itself introduced these errors, and

superstitions, then, surely, a hierarchy (and his Grace will not allow that any other form deserves the name of a Church) may be, or rather has, a strong tendency to be not only useless, but pernicious. If this be so, people of England, what is the inference? That a good Church is good for nothing but to be either a distributer or monopolist of Bibles. But mere laymen might be either. And what follows from this? Let the reader answer the question.

But when his Grace uttered the ominous words, which produced these remarks, was he, or was he not serious. That he was serious, in his expressions of high dislike of the irreligion of the popish laity, at least, is so obvious, that we may conclude his hopes of their felicity, in a future state, are rather desperate. This, with the reluctant confession above-mentioned, gives us additional reason for believing that exclusive salvation is a tenet not peculiar to papists. Indeed, close observation on what is passing about us in life, would convince every unprejudiced man that this obnoxious doctrine is held by the uncharitable members of every Christian sect, and rejected by the benevolent of every communion. Such is men's practice, however doctors may pronounce *ex cathedra*. Why, then, should it be imputed exclusively to papists, and made a ground of political exclusion?

But was his Grace aware of the attack on the Church, evidently implied in his antithesis, and, if so, was he serious here also? If he was, and is still of the same mind, let us entreat him to confine his project of abolition to the temporalities of the Church, and spare the Church herself. Away—if his Grace will have it so—away with tithe that "slough of a slavish superstition," or rather that oppressive and degrading yoke, which the cupidity of popery had imposed on Christian necks, in ages of darkness, and from which our Reformers unaccountably forgot or neglected to disengage us. But here I, for one, would stop short, I would not proceed with his Grace, to secularize the Bishop's lands, as they would afford a suitable and sufficient support for the whole body of the Church. I do not deny that, by the abolition of tithes, one great obstacle to the conversion of the papists would be removed; that our beneficed clergy might recover the affections of their parishioners, which in too many instances they have forfeited; and that the spiritual authority of the Church over men's consciences, would be increased, while her temporal power, that great source of discontent, would be diminished. But here I would tie up his Grace's hands, and entreat him to reconsider the subject; not without hopes of reconciling him, in time, to moderate measures.

CHAPTER VII.

Objections continued.—Resumption of forfeited Estates.—Coronation Oath.—Divided Allegiance.—Protestant Ascendency.—Mr. Brownlow.

FASHION extends its sway to arguments as well as to pantaloons. About fifty years ago, the argument, founded on a fear of the resumption of forfeited estates, was all the rage. It was the surtout, within whose ample folds every loyal Protestant wrapt himself, to weather the storm of the Catholic claims. Every year, however, the scissors of time have been gradually curtailing its dimensions; so that it is now reduced to a mere shred. The most intolerant Protestant, when he wants money, never scruples to sell his estate to the rankest Papist; to grant him a profitable lease, on payment of a large fine, and borrow his money on mortgage, without any conscientious resolution of punctually discharging the interest. These operations, repeated, year after year, have at last banished the above-mentioned argument from respectable company, and "resumption of forfeited estates" now frightens only those who have no estates to lose, namely Orange operatives, and groundlings. "Coronation Oath," also, has had its day; but now, like the former argument, it serves only to give importance to the conversation

of the vulgar. While it was in vogue, we were called upon to believe that it not only restrained the monarch, in his executive capacity, from *unconstitutional* violations of law; but that, in his legislative capacity, it restricted him in the *constitutional* exercise of his undoubted prerogative. We were called upon to believe, that the Lords and Commons, in framing the Coronation Oath, meant to say to his Majesty—We, your Majesty's Lords and Commons, hate the papists, most devoutly, at present; but,—lest we should cease at any time hereafter to hate them, with eqal cordiality, and, from any change of circumstances, should deem it prudent, just, and wise, to relax or repeal the penal laws in force against them,—we think it necessary to bind your Majesty, by an oath, to reject any bills for the relief of papists which may pass through our houses, in an unguarded moment, and thus relieve us from the consequences of our own folly or stupidity. This reasoning involved men of common sense in a painful dilemma; if they admitted it, they felt themselves dolts; if they rejected it, they were considered as disloyal.

The fashion of opposing the rightful claims of the Catholics, on the ground of divided allegiance, was next introduced, or rather revived—and by the premier himself. We have smiled at this argument already; and indeed its advocates,

like the augers of old, can scarcely forbear, when they meet, from laughing in each others faces. Whatever, may be *pretended*, it has not the least weight with any educated man, unless his reading be confined to Hebrew, or pure mathematics, and his observations to the walls of a college library. If we visit foreign countries, we have the evidence of our senses that the Pope, as to temporals, is a cipher, and preserves with difficulty, even in Catholic states, a remnant of his spiritual authority. If we stay at home, and consult the historian and traveller, we find that such is the case, not only in a few European nations, but throughout the whole Catholic world. We find also, that the authority of the Pope, over the Catholic Clergy of Ireland, is incomparably more feeble than the *mere ecclesiastical* authority of the King over the Protestant Clergy. And, if it be true, that the allegiance of the Roman Catholics is divided between the King and the Pope; is it not equally true, that the allegiance of the Scotch Presbyterians, of the English and Irish Presbyterians, of the Independents, &c. &c., is divided between the King and their respective Churches, which Churches and their rulers lie at our doors, and are able to avail themselves of every opportunity of plotting against us, (which, however, no one in his senses can apprehend;) while the modern Hildebrand, that object of dismay to Sir Harcourt Lees and Lord Liverpool, slumbers in his palace,

in the southern extremity of Europe, while his whole military force can scarcely protect his person from the banditti of his own diocese.

"Protestant Ascendency" and "Protestant Constitution" also furnish the friends of exclusion and public peculation, with favourite watch-words, and a notable argument. This barbarous jargon has been, for many years, in Ireland, the substitute, in too many instances, for official integrity, and conscientious discharge of duty. By the due intonation of these phrases, followed up, at public dinners, by the toast of the *Glorious and Immortal Memory*, many loyal persons have thought themselves entitled to cheat the revenue, to defraud public offices, extort illegal fees, and create lucrative jobs for themselves or their retainers, at the expense of an impoverished people. When inquiries were lately made, and a check about to be applied to these enormities, these loyal gentlemen raised a deafening outcry against the commissioners. They seemed to think that their loyalty was a good patent for peculation and extortion of every description. Many of our Clergy, finding that the immense revenues of the Church, so vastly disproportioned to the Protestant population, were attracting the attention of parliament, threw themselves into the scale of the exclusionists, and joined in the cry of "Protestant Ascendency" and "Protestant Constitution," affirming that Pa-

pists had no religion "in its vital character,"—that the lower classes were quite regardless of emancipation,—and that turbulent demagogues, only hungered for the loaves and fishes of the State. Let it be incidentally remarked, that this unfounded assertion has been triumphantly refuted by the forty-shilling freeholders, and payers of the Catholic rent. In short, the *exclusive* right of representing a county, city, or borough, in parliament, of filling every place of honour, trust, or profit, from the highest to the lowest, in the gift either of the crown, the corporations, the grand jury, or private individuals, and of taxing the Catholics, to any amount, by acts of vestry for objects beneficial only to themselves, is claimed by the ascendency men; among whom it is an established maxim, that no foolish delicacy, on the part of the loyal holder of such office, place, or privilege, should interfere with the most profitable discharge of its functions. These profitable operations escape the notice of the Clergy, whose spiritual avocations allow them only to lend their strenuous support to the system in general, but leave them no time to watch it in detail, or detect its numerous obliquities. The slightest departure from this system, though sanctioned by the legislative relaxations of the penal code, is denominated by Orangemen, a shameful infringement of the rights of Protestant loyalists.

Such is "Protestant Ascendency" in practice: let us glance at its theory.

On what is this ascendency founded; on what great truth does it rest? Is it bottomed on any acknowledged principle of justice, of moral or physical superiority? The last will scarcely be pleaded: Paddy has refuted it with his bayonet at Waterloo, and, unhappily, is always ready to refute it again with his cudgel. The plea of moral superiority has indeed been loudly urged as a ground of political ascendency. O! with what a shameful contempt of the spirit of Gospel morality, according to which, the very claim of superiority brands the claimant with inferiority! But the moral truths of the Gospel are now too plain for the taste, and too inconvenient for the purposes of the *loyal* Protestants of Ireland, who have learned from the Bible Society doctors to regard "your moral man" with little veneration. Let us then shut up our Bibles, "circulate," without consulting them, and pass on to some other source of reasoning. Is it, then, the *fact* that this moral superiority really exists? Is it actually true that there are, among the Orangemen of Ireland, many better poets than Mr. T. Moore; and among its corporate bodies, many better public speakers than Mr. Wise of Waterford? In legal knowledge and resources, is Mr. O'Connell outstripped by many of our Protestant bar? Have we, among our Clergy,

many greater masters of pulpit eloquence than the Rev. Mr. Keogh, the Roman Catholic Priest?—Has not Mr. Kinsella, a very young professor in the despised popish college of Carlow, proved himself a full match, in the field of controversy, for the most eminent of our veteran theologians, and more than a match in Christian meekness and moderation? Are not the small shopkeepers and farmers of the popish province of Munster confessedly and vastly superior in intellectual culture, to the Protestants of Ulster of the same rank?—Was not the late Doctor Purcell, in spite of his popery, the most celebrated physician in the city of Dublin, and are there not, this moment, in that city, medical men of the same religion, who, though his inferiors in professional eminence, are, probably, his equals in professional skill? Are not the Catholic merchants and manufacturers of Dublin and Cork, in spite of the disadvantages under which they labour, as intelligent and active as their Protestant rivals?

But let us give up this point—let us suppose that the Rev. J. Graham, the Orange Chaplain, is a better poet than Tommy Moore; that Sir Harcourt Lees far outstrips in pulpit eloquence and Christian ethics, the Rev. Mr. Keogh; that, besides Dr. Magee, there are, among our Protestant divines, many abler casuists than Doctor Doyle, &c.—let us, I say, give up the point at once, and suppose

the moral superiority to be all on the side of the Protestant loyalists. But, here, let us ask, is not this moral superiority, in its nature, entirely *accidental?* If it be all on the side of the Protestant loyalists this year, might it not change sides in twenty years more, and belong as exclusively to his Majesty's Catholic subjects. In this event, are we to erect Catholic on the ruins of Protestant ascendency? This we must do, if the argument of moral superiority be good, unless Sir Harcourt should put it down with the bayonets of his "211,000 armed Orangemen." But as putting down an argument, by an armed force, is very different from a logical refutation of it, the papists would be still on the watch to catch Sir Harcourt napping, and, on the first fair opportunity, would revive their claim to Catholic ascendency, founded on their moral superiority. The truth is, that the argument is good for nothing, except to perpetuate, among two great classes of his Majesty's subjects, a spirit of controversy, as rancorous and deadly as that excited by the movements of the different Bible Societies; each party endeavouring to prove itself the paragon of moral excellence, and its adversaries the slaves of incurable ignorance, bigotry, and prejudice.

When a man mounts his horse, we immediately recognise not only the fact, but the principle of his ascendency over it. The horse is an animal

of an inferior nature, he is the man's property, he has no rights, and, *respecting him*, the man has no duties. His duty to himself, indeed, requires that he should not injure his property, or harden his heart by habits of cruelty to an innocent and useful animal; but, without violating any moral precept, he may make him labour moderately for his benefit, and spend his life in his service. Is not the ascendency claimed by our dashing loyalists, at least, as rigorous as that of the man over his horse; though the Catholic and the Protestant are *of the same nature*; though the former has rights which ought to be sacred; though the latter has corresponding duties, for the fulfilment of which he is awfully responsible to God; and though any claim, on his part, to the person of the Catholic as his property, would excite the indignation and horror of the whole civilized world,—Yet, in despite of man's nature, in contempt of human rights, in defiance of that all-just and all-powerful *Being*, to whom he must render an account of his violated duties, he raises his voice against the fair claims of his Catholic neighbours, fellow-subjects, and countrymen, though founded on the grand and immutable principles of justice! He darkens their brightest prospects,—throws insurmountable obstacles in the way of their fairest ambition,—condemns them to draw blanks in the lottery of life,—deprives them of their fair chance of honourable or lucrative employment,—acts

the part of the sullen and pampered menial, who spurns from the palace gate the humble claimant for admission,—and, in the language of Deity, and arrogance of humanity, tells a petitioning nation, "thus far shalt thou go, and no farther!" The horse is acknowledged to be the property of his master, and is pampered; the peasant is said, with cruel irony, to be his own master, and is starving. Famine, oppression, a keen sense of his political degradation, and feelings of bitter resentment for his insulted religion, hurry him into occasional acts of insubordination, which exclude and frighten from our shores, that capital which would afford him employment, and comfortable subsistence.—He knows, with Lord Redesdale, that there is one law for the rich, and another for the poor; one law for the Protestant, and another for the Catholic; he feels that the law is not his friend, and he is, accordingly, no friend to the law; but is fully persuaded, and with reason, that some of our laws are infringements of our Constitution. Thus is the tranquillity of the nation disturbed, its improvement retarded, its resources neglected, its morals corrupted, and the majority of its inhabitants insulted and oppressed, by the operation of the cruel, vindictive, insolent, immoral, and unchristian principle of ascendency?

Then, why cling, with such tenacity, to this wicked principle? The term *Protestant* prefixed

to Ascendency shows the *ostensible* ground of its claim. So, then, the Orangemen claim a monopoly of political rights, because they are Protestant—that is, orthodox believers, while the Catholics and Dissenters are heretics and schismatics. Thus, Protestant Ascendency proves to be nothing more or less than the *spiritual supremacy* of one class of religionists arrogating to themselves exemption from error, treating all other sects as infidels or incorrigible heretics, and delivering them up to the secular arm, to be punished in this life, for the salvation of their souls in the next. Is not this the essential spirit of the Popery of the twelfth century? So that the Orangemen of Ireland, though some of them have lately formed a Society, calling itself "The Benevolent and Religious Orange Institution," (Oh, what an awful abuse of language!) are in reality political papists of the old stamp! I do not charge them with going to mass and adoring the host, nor with adopting the musty morality of that huge popish publication—the Douay version of the Bible; but I charge them with *devoutly* moving *heaven* and earth to keep their fellow-creatures in a state of partial bondage, for their own mercenary purposes,—I charge them with zealous and unremitting efforts to preserve to themselves a monopoly in the trade of jobbing and public peculation, under the blasphemous pretence of doing God an acceptable service,—I charge them with grafting

on their creed the worst part of ancient popery —its persecuting spirit,—in an age which has chased away that spirit of darkness from the most respectable nations of the Catholic world, and has nearly expelled it from the remainder. Can it be denied that every penal or disabling statute, enacted by *Protestants* against *Papists* or other *dissenters from the Established Church*, is, really, both in *spirit and principle*, a popish "act of faith," whether the offender be immediately consumed by fire and faggot, or subjected by modern refinement, to milder but more enduring sufferings? And while such execrable laws are permitted to disgrace the statute-book, and dishonour the Protestant religion, are they not, in truth, so many "acts of faith" kept in a state of unceasing and permanent operation?

But the new Association above-mentioned— will it not introduce a more humane system, and divest ascendency of its most frightful features? It styles itself "The Benevolent and Religious Orange Institution." "Benevolent!"—good; "Religious!"—good again; "Orange"—that is "benevolent" to themselves, and "religious" in persecuting papists! Read any of their speeches and you will be convinced that *their* cup of benevolence overflows with the waters of bitterness. Nor is this bitterness extended only to the poor Roman Catholics; the choicest draught is reserved

for the "liberal Protestants," especially that "political apostate" Mr. Brownlow. But his apostacy was not the most criminal feature of his conduct. If his desertion could have been imputed to any splendid temptation of office or emolument, it would not have stung so deeply. It might be lamented, but it would be tolerated and excused, as occurring in the ordinary course of that political traffic so well understood in Ireland. But as no human ingenuity could trace it to an interested motive, it could be considered as only the result of an honest conviction of the cruelty and injustice of the cause he had hitherto supported. It was quite evident, that what was branded as apostacy was regarded by the apostate, as a glorious escape from the camp of dishonour. This was an "unkind cut." He found the recesses of the cave filled with plunder; he discovered traces of blood on its floor, and fled from the dark abode of guilt, and the communion of the banditti! Flesh and blood could not endure this. What! dare to open his eyes upon the moral and physical waste about him—a nation oppressed, maligned, insulted, demoralized, bewailing her lost rights, and steeped to the chin in poverty! But why should the disciple of ascendency forget the lessons of his youth; why should the "*benevolent*" Orangeman cast a glance of human kindness beyond the threshold of his own house; why should the "*religious*" Orangeman feel for the disabilities,

the consequent degradation, and wretchedness of "Popish Idolators;" why should the "*benevolent and religious*" exclusionist cast his constitutional pearls to swine; why not rather slaughter the grunting herd as a sacrifice to the Deity, and deposit the pearls on his altar, as an acceptable offering? But the sagacity of Brownlow having discovered that the "*benevolence*" of the exclusionist was cant, and his "*religion*" a cloak; that the system of selfishness, injustice, privation, calumny, and hypocrisy, had, after a full and fair trial, totally failed to feed and tranquilize a people, whose only crime had been "undivided allegiance" to their legitimate sovereign, and an inflexible adherence to the worship of their God, —crimes, perhaps, venial in their nature, and long since atoned for,—thought it high time to explode the inhuman and persecuting policy, and substitute for it the Christian system of charity and good will towards *all* men. On this principle he acted, and for this he risked, and suffered much. But his reward, even here below, is great —a generous elevation of mind, an applauding conscience, and the vituperation of those whose eulogy would be disgrace. Yet let him not claim an exclusive right to his family name. This the public will not permit: for every man, who, in opposition to his prejudices, shall, hereafter, on great occasions, act a noble, honourable, and

truly disinterested part, on the theatre of life, shall be styled *another* BROWNLOW, by all who admire what is really great, and good, in the human character.

CHAPTER VIII.

Protestant Constitution.—Persecution inseparable from Toleration.

PROTESTANT Ascendancy, as we have seen, and as too many have felt, is a sad reality; but "Protestant Constitution" is a creature of the brain, invented for its support. Let us, however, for a moment, suppose it to be real. Some members of our corporations, not excepting a few of our aldermen, (I do not glance at the Guild of Merchants,) are persuaded, it is said, that our Constitution was either imported from Holland, by the Prince of Orange, or beaten out, at a single heat, on the royal anvil, after his accession to the throne. It is not surprising that the honest gentlemen, who hold this opinion, should be persuaded of the Protestancy of our Constitution; nor more surprising that these, who know better, should take no pains to undeceive them, by detecting a useful error.—History, however, is, unfortunately, silent on this point, and even affirms most disloyally, that not

only King, Lords, and Commons, but the important maxims which uphold and limit prerogative and privilege, and the constitutional laws, which protect the life of the subject from the frown of arbitrary power, and his life, liberty, and fortune, from the caprice or venality of judges, had actually existed in the "olden times" of popish superstition. What a mortifying thought! It also affirms, that the last-mentioned objects were still better secured by a law passed in the reign of Charles II., which protected the subject from the horrors of indefinite imprisonment; and Blackstone (whose "loyalty" seems here to be somewhat suspicious) tells us that this *habeas corpus* act gave to our Constitution its ultimate perfection. So that unless history and Judge Blackstone be both mistaken, or engaged in a wicked conspiracy against the Guild of Merchants, Colonel Verner, and the loyal Orangemen of the North, who meet to drown their disappointments in wine and wassail, or for other purposes still more vigorous—the frame of our Constitution was brought *nearly* to perfection, by popish artificers, before the Reformation began; and *fully* attained it long before King William landed at Torbay. After his arrival, the measures adopted had in view, and that *professedly*, not a change in the Constitution, but its preservation from the inroads of arbitrary power. The settlement of the Crown by a departure from the law of primogeniture—an essential

part of the Constitution—was surely not an improvement, but a temporary violation of that Constitution, which nothing but the imperious necessity of the case could justify. With great deference, therefore, to the Orange and Purple Brotherhood, I contend that the Revolution of 1688 established no new principle, but, after a temporary infringement, left the Constitution as it found it. The appointment of a Protestant King was a prudent *legislative* enactment growing out of *accidental* circumstances. Nor is it true, as asserted by "loyal Orangemen," in moments of irritation, when their official perquisites are threatened,—that the right of the subject to dethrone the monarch for misgovernment, was established by the Revolution. This is a gross mistake; no constitution can sanction a principle which involves its own subversion, without being able to provide for its re-establishment. The principle is founded on the law of self-preservation—a law antecedent to the Constitution, which protected men in the state of nature, and followed them into society, but which can never sanction insurrection till men's lives, and whatever tends to protect and sustain these lives, are in the most imminent danger.

But admitting that a few acts of parliament, enacted by Protestants, made some slight change in the Constitution, while it left the general fabric untouched, surely this would not prove that the

Constitution became Protestant. The most you can do, is to denominate those slight changes Protestant; but even this would be an admission that the rest of the fabric is Catholic. Do I then contend that our Constitution is Popish. No; I contend that it is not popish, that it never was popish, that it is not now, never was, and never will be either Protestant, or Popish. The latter, as we have seen, has the fairer claim; but the two ideas are really incoherent. It is as correct to say that a Constitution is white or black, as that it is Catholic or Protestant. The objects of a constitution are present and temporal; of a religion, future and spiritual interests. The one was *given to* man by his Maker; the other was framed *for man* by himself. The former is a form of government; the latter a system of faith and practice. The former endeavours to protect the liberty, reputation, and fortune of the individual; the latter assures the individual, on divine authority, that true wealth, unfading reputation, and real freedom, are not to be found here below, and that human constitution can neither give or take them away. The British Constitution may be adopted in any civilized country—in Spain, Russia, or China—without any change in the religion of either. In this case, would the same form of government be Protestant in England, Catholic in Spain, Greek in Russia, and Pagan in China? If our Constitution became Protestant at the Revolution, was it

Popish in the reign of the Protestant Elizabeth, as well as in those of the Catholic Edwards and Henrys? To establish Protestantism by law, or make it the religion of the State, (a vile phrase,) does not make the Constitution Protestant. The legislature might establish a system of medicine, or astronomy, as well as a system of religion. Let us suppose it to have established the Copernican system, endowed its professors, and enacted that no man could be a member of the legislature without declaring, on oath, that the earth was a planet, the sun at rest, and the king head of the astronomers;—would we then have a Copernican Constitution? On the same principle we might have a Neptunian, or Volcanian, a phlogistic, or antiphlogistic Constitution!

They, who talk of a Protestant Constitution, pay but a poor compliment to our religion, or form of government. If *our* Constitution be Protestant, so is that of Prussia, Hesse Cassel, &c.; thus this ominous phrase would reduce to the same level our venerated form of government, and the military despotisms of these ill-fated countries. All would be equally Protestant Constitutions! If Protestantism means pure Christianity, and Constitution a human contrivance for effecting temporal purposes, what an ill-sorted combination of terms is "Protestant Constitution." It represents religion, allured by glittering vani-

ties, withdrawing its eye from heaven and fixing it on earth. It degrades Protestantism by employing it in the service of ambition, avarice, monopoly, and worldliness in general. In Ireland, the phrase "Protestant Constitution," is employed as a talisman to justify domination, insult, and political exclusion; to sanction a proud, vindictive, and overbearing spirit, which neither the festivities of the board, the exhortations of the statesman, the authority of the monarch, or the precepts of the Gospel can soften. So that we are, at last, *driven* to ask, what is this Protestantism of Orangemen?—is it Christianity, or does it partake of its spirit? An appeal to the Gospel would decide the question. There it would be found that the Author of Christianity, though Lord of all, came in the form of a servant; disclaimed all human power and authority; declared that his kingdom was not of this world; and, in the plenitude of his love for a fallen race, submitted to an ignominious death, praying for his persecutors in the midst of his torments. There it will be found that *meekness, humility, self-denial,* and *the love of his species,* are the graces most earnestly inculcated, the virtues most eminently characteristic of the *Christian,*—and that *revenge, pride, calumny, contention, and wrath,* are the vices most frequently, and awfully, condemned. In the Gospel will be found no *proud pretensions,*—no claims of *exclusive privileges,* or *temporal ascen-*

dency, founded on *spiritual* merit,—no *arrogant assumption of superiority*,—no *insolent imputation of inferiority*. On the contrary, we find Heathen masters obeyed by Christian servants, Heathen sovereigns by Christian subjects, *malignant passions condemned, selfish propensities rebuked, benevolent affections applauded*, injuries and violence *not repelled by force*, but *disarmed by kindness!*

Such is the spirit of Christianity; but is it the spirit of the Orangeman, even while the words "pure and apostolic Church," "holy religion," and "Protestant Constitution," issue from his lips? Let his conscience answer the question; but not amidst the festivities of the table, or the cruel and unnecessary commemorations of victory; but when his pride is humbled, if not subdued, by the pressure of disease, the stroke of misfortune, or the detection of guilt. What a weak, deluded being is man! Religion, which undertakes to conduct him through the paths of peace, to the abode of future bliss, he employs as an instrument of discord and the means of attaining that superiority over his fellow-creatures, which *nature gave him not*, and *God forbade him to claim!* The term "Protestant Ascendency" *(whatever may be pretended)* assumes that the professors of one form of Christianity are the favourites of God; those of another his enemies; and that the former are divinely commissioned to engross to them-

selves the good things of this life, and to make its hardships, privations, and poverty, the portion of the latter. It savours of the Koran, and not of the Gospel; and justifies its violation of the precepts of Christ, by a pretended zeal for his religion. While it aspires to greater heights, it is rooted more deeply than the tree described by the poet—

> ——— quantum vertice ad auras
> Ætherias, tantum radice in tartara tendit.

Ascendency, in its warfare against equal laws and equal rights, deems all stratagems justifiable, and even meritorious. Facts are suppressed, misstated, or exaggerated, and words divested of their natural and ordinary meaning. Talk of the *religion* of Zoroaster, Numa, or Mohammed, and nobody charges you with impropriety in the use of the word; but talk of the Roman Catholic religion, and you are told, on high ecclesiastical authority, that papists have "no religion,"—that Protestants cannot "concede the attribute of Christianity in its vital character and proper sense" to the system of popery: and this assertion is founded on two facts, one partly false, partly exaggerated, and partly misstated, namely, that popery "forbids the use of the Scriptures;" the other—that "it subjects the Word of God to the authority of man," which fact, if it be different from the former, can only mean—that the Church

of Rome claims the right of interpreting the Scripture for each individual, and that it is the duty of the latter to receive that interpretation.—In urging this claim that Church is not singular the Church of England and Ireland, as has been already proved, claims the same right, and has asserted it, for ages, by the most rigorous persecution, which still continues, though in a milder form, while many of our Clergy are exerting all their influence to make it perpetual. This is a truth which no sophistry can shake. It is a great and prevailing mistake, among those who talk much and think little, that when Catholics, or other dissenters from the Established Church, are permitted to assemble for the purpose of worshiping God, in their own way, while their chapels or meeting-houses are protected from intrusion or violence, and their persons from injury or insult, by the law of the land,—when, in a word, they enjoy the benefit of a full and free toleration,—that then, with respect to them, persecution is at an end. Than this nothing can be more fallacious.

Wherever there is toleration, there *must* be persecution. The former is the curb which checks the career of the latter and the speed of his blood-hounds, when they became too impetuous for the taste of the Nimrods from whose stables and kennels they issue. While persecution raged uncontrolled, the faggot blazed, the gibbet groaned,

and the victim of conscience was hewn into quarters; or his doom was a dungeon for life, or confiscation of goods and perpetual banishment.—When those infernal atrocities were frowned down, by the growing humanity of the times, toleration was reluctantly called in, by the friends of persecution, and took under her protection the lives and fortunes of unfashionable worshipers, which, in an enlightened age, could no longer be sacrificed without infamy. But persecution, far from being destroyed, much less suspended, by the influence of her new associate, was merely divested of the more disgusting features of her character. She was deprived of her machinery of deportation and death;—her dungeons were sealed, her ships consigned to the fair trader, her faggots to the baker, and her "fatal tree" was no longer employed in raising martyrs to the skies, but in suspending *temporal* malefactors.—But she was still left an ample field wherein to expatiate; and the number of her victims was multiplied in proportion as the rigour of her inflictions was diminished. The number of these *humane* inflictions, also, was gradually reduced; but some of the most insulting and galling still remain, which divide the people of Ireland into two great casts—the one dominant, and consequently overbearing, the other degraded, and, of course, deeply and justly discontented.

This discontent is inflamed by repeated disap-

pointment, and daily augmented by the rapid growth of intellectual culture among the Irish Catholics. Such are the effects of toleration and persecution united. They conspire to make the degraded cast poor, but sensitive—miserable, but intelligent. "You may (says Toleration) go to your Mass, stare at your priest, and be edified by his Latin." "With all my heart, (says Persecution,) but I will take care that no Mass-man shall come into confidential contact with a Protestant Government." "If (says Toleration) you are blockhead enough to believe that a crum of bread is God Almighty, believe on still, and please your fancy." "You are heartily welcome to your crumb, (says Persecution,) but I shall take care to exclude men of your taste from the rich fare of Irish corporators." "Go, (says Toleration,) for I am ever ready to relieve 'tender consciences,' go, and address your prayers by dozens to your blessed Madona, as long and often as you please." "I second that motion, (says Persecution,) but insist that the servile worshippers of the Virgin are unfit for the company of gentlemen within the walls of Saint Stephen." "You may (says the former) learn to read and write." "Certainly, (says the latter,) but you must not brandish your quill, or your tongue, in a government office, or for a Protestant board." "You may, (says Toleration,) become a barrister at law." "Yes, (says Persecution,) you may eat your way to the bar—an undertaking for which you

seem well qualified; but no popish reptile must aspire to cast, at any season, his slough of linsey-woolsey, and writhe himself into glossy silk, or official station. In short, I highly approve of the indulgence which my friend Toleration extends to you papists: were I to dragoon you all into Protestantism, I should lose the spiritual delight which I derive from making you hewers of wood and drawers of water."

In Ireland, whoever should assert that Roman Catholics are persecuted, would be stared at by the high Church Clergy, and immediately told, perhaps in polite language, that he is "quite "misinformed; that, on the *contrary*, they enjoy "a full and free toleration—a pregnant proof "of that charity and loving-kindness which has "always distinguished our pure and apostolic "Church." Yet it is certain that toleration cannot exist in the absence of persecution. The former, indeed, is persecution divested of its more formidable powers of speedy destruction. We say, that Roman Catholic and Protestant dissenters are tolerated in England, because, with respect to them, *persecution has abated, but not ceased.* But we never say that Church Protestants are tolerated; because, where there is no persecution, there is no room for toleration. Cut off the lion's claws, and draw his teeth, and the horse, in the next field, is no longer in danger of

being devoured or torn in pieces; but he might and still would be persecuted by being disturbed, annoyed, harassed, injured, and driven from his pastures. All this, one would suppose, is sufficiently clear and certain. Yet, in Ireland, how often do we hear it said, even by educated men, and especially Bible Society divines—"I thank my God I am not the advocate of persecution; *on the contrary*, I am a decided friend to toleration; this the papists enjoy to its fullest extent; why, then, are they discontented?" This absurdity is current in every company of exclusionists. Party spirit confounds sense and nonsense, and even wrests words from their true meaning to serve its purposes.

Jampridem, equidem, vera vocabula rerum amisimus.

In the present age, it would be an insult to moral science, good feeling, and even common sense, to support, by any formal proof, the proposition—*that* every man has an undoubted right to entertain such religious opinions as he believes to be true, and worship God according to the dictates of his conscience. Yet this is the principle to which toleration and persecution are both opposed. The latter disapproves of dissent from established doctrines or forms, and would exterminate at once. Toleration equally disapproves of dissent; but finding that the exterminating process had failed, and being, also,

in some degree, influenced by shame, renounces, with affected horror, proscription and bloodshed, and, with professed compassion, but real inhumanity and contempt of the first principles of justice, substitutes a vexatious, harassing, degrading, and disqualifying system, which it puts into permanent and oppressive operation by the instrumentality of Persecution, who takes care to see laws, issuing from so religious a source, duly executed. Oh! but the Church of Ireland is not a persecuting Church;—it does not war, with conscience, unto death and confiscation. According to this argument, though decapitation of a dissenter be persecution, yet the amputation of a finger-joint is only the infliction of a wholesome disability. The latter, however, is as much persecution, in principle, though not in degree, as the former, because, in both cases, a right is equally infringed. This applies equally to property. If confiscation be persecution, every minor invasion of property, or the means of acquiring it, is persecution. When any right whatever is infringed, because the party worships his God according to the dictates of his conscience, and not of the State, such infringement is persecution. It is time that men should no longer impose on themselves by mere words. Many, who talk with approbation of toleration, seem to detest persecution. Yet where the former is, there the latter *must* be also. Banish therefore both, substitute equal

laws, and equal rights, and declare all religious professions equally entitled to the benefit of the great, comprehensive, and immutable principles of justice.

CHAPTER IX.

Forty Shilling Freeholders.—Wonderful Unanimity among Irish Catholics:—and why.—Concession the Dictate of sound Policy.

MANY events, which have lately occurred in Ireland, are an excellent comment on "Protestant Ascendency," and "Protestant Constitution;" and strikingly exhibit the effects resulting from toleration combined with persecution. Take a single instance. Among our ascendency gentlemen it passed as an undisputed axiom, that a forty-shilling freeholder ought to have no will of his own, no sense of the obligation of an oath, no rebellious scruples of conscience; that he had no rights, but in their place, a multiplicity of duties, most of which were included in the cardinal one of passive obedience to his landlord. Of course it was reasonably expected that he would always follow "the master," with the docility of a spaniel, to the hustings; vote and swear as directed; and afterwards out-bluster, overawe, and batter his

opponents. This was quite in the spirit of "Protestant Constitution," but not altogether in the spirit of that British Constitution portrayed by Blackstone, and Delome, and eulogized by Chatham, Burke, and Montesquieu. Conformably however to the spirit of the latter, and in wicked violation of that of the former, the Catholic forty-shilling freeholders, true to their oaths, their conscience, and the common cause, maugre all the pathetic remonstrances of their kind and indulgent landlords, dared at the late contested elections, to distinguish friends from foes, by returning the former, and rejecting the latter. Immediately a tremendous outcry was raised that the "Protestant Constitution" was trampled down by the swinish multitude; and the defeated partisans of ascendency retreated, in wild disorder, to the fastnesses of the north, and there rallied only to relieve the most gnawing sensations, by eating and drinking with determined thirst, and desperate voracity.

But the spirit of revenge attempted, in vain, to sweeten the cup which disappointment had imbittered. The Catholic Clergy were assailed with unmeasured obloquy. What! that popish priests should dare to usurp the privileges of the Established Clergy by mingling in temporal affairs, and attempting to influence the fate of elections for Protestant representatives! No-

thing, however, is more certain than that the mighty impulse was communicated to the whole mass of mind, not by the priests, but by the educated classes of the Catholic laity. The priests were only the organs—the efficient organs—of this great body. From the latter emanated the project of the Catholic Rent, the spirit that pays it, the discomfiture of Orange Candidates, and the countless parochial meetings, respectfully but firmly petitioning for emancipation. Obedient to this impulse, the poor *forty-shilling freeholder*, *with uncalculating magnanimity*, cast himself and his ALL into the scale of his country, at the contested elections. For this he is hunted down and vilified. Yet, in those days of glory, when Greece and Rome were free, a similar act of self-devotion in such a cause, would be sung by the poet, celebrated by the orator, and recorded by the historian; it would glow in the pages of Thucydides and Livy, sparkle in the Pharsalia, and be read with tearful rapture in the Æneid.

But whence that unanimity, whence that deep sense of the importance of emancipation which pervade the whole Catholic population? From the combined operations of toleration and persecution. The latter, by penal enactments, had nearly extinguished letters, and annihilated property.—The former, in process of time, restored the capacity of acquiring both; and the powers of reading

and reflection, once acquired, were naturally directed to the perusal of those records of ingenious oppression, and inhuman inflictions, with which the Catholics of Ireland were visited, because they had dared to be loyal to their legitimate sovereign, and the God of their fathers. They conceived that the punishment was far too heavy for the crime; and that the latter, however *atrocious*, had been sufficiently atoned for by ages of patient suffering and *acknowledged* exertion in the service of the State. When *Protestants* fought for a *popish* pretender to the throne, the *Papists* were, *at least*, passive. When an English admiral fled before the combined fleet of France and Spain, the Catholics of Ireland lined the shore of the south, and their union with the Protestants astonished and disconcerted the hostile armament. They lent themselves to the measure of an incorporate union, and still lament the violation of engagements, substantially, if not formally contracted. In her struggle for existence, with republican and imperial France, they supported England with a lavish expenditure of blood and treasure. On various occasions their loyalty has been acknowledged by ministers, and recorded in votes of thanks on parliamentary journals: yet all has failed to procure the confidence of the State! Reading and inquiry had convinced them that the season of national distress had generally been the period of concession; and that the disunion of the

Catholic leaders, and apparent apathy of the peasantry, had always furnished the friends of exclusion with their most specious objections. Hence every effort was made to dry up these two sources of argument:—the speaker harangued, the press toiled, and, in every district, the newly acquired powers of those who had learned to read, were placed in a state of requisition, for the benefit of their illiterate neighbours. Discussion became universal; grievances the subject; and, at last, all Catholic Ireland presents to the astonished spectator, one vast scene of angry complaint, irritated feeling, respectful petition, and determined obedience to the law under every species of provocation to violence and riot! A new and surprising lesson is read to the Irish peasant, and not read in vain. A stately demeanour, a "proud submission," and an inflexible adherence to the great principles of public duty and social order, is every where inculcated, and generally adopted. To break the peace, to desert one's post when his country calls, are beginning to be regarded by the peasantry as violations, at once, of the point of honour, and the dictates of conscience, as well as serious obstacles to that emancipation for the attainment of which every heart is panting.

The influence of the educated classes was mightily promoted by the injudicious operations of the Kildare-street, London Hibernian, Bible

Society, and other proselyting Associations. Their vaunting apostles were regarded as daring intruders into the Catholic vineyard. Their pious but insulting pomp of language and demeanour, and the impatient zeal of their missionaries, agents, and orators, carrying their spiritual warfare into the remotest provinces, produced a vigorous reaction among the Catholic Clergy and gentry.—They felt themselves treated as Heathens and outcasts from God, and affirmed that the vociferating missionaries of fanaticism were endeavouring to ensnare their souls, as penal statutes, profligate magistrates, the selfishness of an unfeeling ascendency, and the partial administration of justice, had enslaved their bodies. That ardour which the people had begun to evince in the pursuit of their political rights, was sublimed, to enthusiasm, by religious considerations; the cause of God, and that of their country, became inseparably associated in their minds; and the former imparted a sacred character to all their efforts in behalf of the latter. The effrontery with which the charge of intended proselytism was sometimes denied; the disingenuous sophistry by which it was often eluded, and the contented impudence with which it was afterwards avowed, disgusted candid Protestants, and inflamed the passions of the Catholic populace. Some landed proprietors of weak heads, and stubborn faith, ambitious of proselyting renown, and not content with *recom-*

mending the Kildare system of education, proceeded to enforce it by intimidation and village tyranny. The tenantry were ordered to send their children to the London Hibernian, or Kildare-street schools, where the Bible is read without note or comment, and the principle recognised—that "the right of reading involves the right of interpreting." The parent demurred, the priest remonstrated, the landlord was obstinate, and the tenant was crushed. Men's patience was exhausted. Catholic lawyers laid down their briefs, and encountered, in public meetings, the ablest adepts in controversial subtlety. Catholic priests met, in public debate, the irrefragable doctors of private judgment: and, from the respective presses, issued pamphlet after pamphlet, full of angry, bilious, and turbid matter, utterly destitute of the spirit, but abounding in the profession of charity. Syllogism, instruction, and sophism, encountered sophism, induction, and syllogism; while each party was more successful in disproving the statements, and refuting the arguments of his adversary, than in establishing his own. All terminates at last in a drawn battle; and the exhausted combatants, each astonished at the blind obstinacy of his antagonist, retire from the field, to make room for new aspirants to the glory of theological pugnacity.—During the heat of the conflict, the Protestant contends that the Popish Doctor must be an enemy to the Bible, because he will allow nobody but

the Church to expound it. The latter insists that, for this very reason, he is a real friend of the Bible, because he preserves it from the misinterpretation of those who are wise in their own conceit, and who, like Satan, would quote the Word of God, not to save souls, but to destroy them.

Thus pressed, on all sides, by misjudging piety, uncalculating fanaticism, visitation charges, unmeasured abuse, and foulest imputations, in addition to the causes of discontent which had already existed, the whole Catholic mind has been condensed into one united mass of determined but constitutional resistance! The advice and exhortations of the Catholic lawyer, country-gentleman, respectable farmer, and priest, are imbibed with greedy ears, by an impoverished, oppressed, insulted, and inquiring peasantry, sensible of its wrongs, and devoted to its religion. Every parish, every townland, every hovel, is the scene of animated discussion; the national intellect, which had slumbered for ages, is roused at last; and its sudden development, rapid progression, and wholesome direction, far outstrip the most sanguine hopes of friends, and apprehensive forebodings of enemies. This state of things, according to the exclusionists, indicates concerted projects of insurrection. This seems to be a gross, and I fear, in two many instances, a wilful mistake. The imputation is refuted by circumstan-

tial evidence, of the most decisive nature, both negative and positive. Where are the secret associations, the nocturnal meetings, the sworn fraternities, the dark catechisms of insurrection? Are they not loudly and successfully reprobated? It is the pride of Irish Catholics that their proceedings are as undisguised, as their claims are honourable. The utmost publicity is courted. Meetings held in the face of day, and in places of general resort,—doors unclosed,—books and papers open for the inspection of the curious and suspicious,—principles avowed, and speeches made, which the keenest retainers of ascendency are invited to hear, and not forbidden to hiss,—a deportment frank, manly, and confident in the justice of its cause,—occasional bursts of irritated feeling, which sometimes forgets that respect which is due to an honourable and powerful opponent,—these, surely, are not the symptoms of dark conspiracy, and meditated insurrection. But such a state of things is, surely, not desirable. It will, indeed, while hope is kept alive, strongly tend to preserve the public peace. But should the cup of hope be rudely overturned, and the season of danger arrive, it would, perhaps, be too much to expect that a nation, however legally and constitutionally organized, which had repeatedly rapped at the door of justice, and been as often repulsed, might not, in the soreness of disappointment, avail itself of the public calamities, and

renounce that loyalty which is now its actuating principle.

The evils under which Ireland is suffering, are numerous, complicated, of long standing; and the remedies are neither easily found, or easily applied. Judicious legislative enactments might reach some of those evils; more enlarged views of their real interests, on the part of the landed proprietors, and patient perseverance in a lenient and impartial policy, on the part of the local Government, would, doubtless, in process of time, effect much. But there is one measure, without which, as an indispensable preliminary, all others must be ineffectual; and that is REAL Catholic Emancipation. They who talk of securities know little of human nature, at least, as modified in Ireland. Every security which human wisdom could devise would operate as a real and substantial *insecurity*. It would be a recorded declaration of the king, and both houses of parliament, that Roman Catholics could not be much relied on, that they must be regarded with some distrust, and treated with guarded caution. This would be a standing and permanent insult to Irish feeling, which is ever as ready to resent an affront, as to be grateful for a favour. It would be like the giving to a distressed man a draft on your banker with one hand, and knocking him down with the other; but, with this important difference,

that the blow, being a mere transitory act, might soon be forgotten; while the security would be a permanent and interminable offence, operating every successive day and year, and affording a never-failing subject of complaint to every discontented or turbulent character. That such would be the natural effect of what are miscalled securities, will scarcely be denied. On the other hand, the Irish character is now so well known as to make it almost unnecessary to say that gratitude —ardent gratitude for benefits received, or confidence reposed—is one of its most prominent features. Then why rely on offensive securities couched in words, and more perishable than the paper on which they might be printed, rather than on the voluntary homage of Irish hearts, glowing with enthusiastic gratitude for the restitution of rights long lost, and deeply lamented;—rights withdrawn by the jealousy of legislators long mouldering in the dust, but restored by the generosity of contemporary statesmen,—the living and visible objects of Catholic affection and veneration? A boon accompanied with insulting restrictions, is a monster in politics. While it attempts to sooth, it is sure to irritate; as an insult seldom fails to make a deeper impression than a compliment, an injury than a benefit. A wise lawgiver will adapt his views to man's nature, instead of forcing that nature into a conformity with his purposes. It is quite natural, and reasonable, that

the Protestants of the empire should look for securities; but let them reject nominal, and adopt substantial securities, resting on the firm basis of Catholic self-interest, and Catholic confidence, on the conviction of Catholics that they are fairly and honourably treated, no longer suspected, no longer in a state of creeping subserviency, and mortifying degradation. Such securities, and such alone, would, in the opinion of the writer of these pages, be effectual; he knows his countrymen long and well, has studied their dispositions, observed their proceedings, and, in truth, is not an interested witness. Emancipation, unclogged with suspicion or distrust, would be hailed with joy by applauding millions, and lay the solid foundations of national tranquillity, and progressive improvement. A concordat between his Majesty and the court of Rome, to which, doubtless, the latter would readily accede, on reasonable terms, might regulate, if necessary, the exercise of the papal authority. This measure would satisfy every candid Protestant, without offending the Catholic. But securities clogging emancipation, and created by parliamentary enactment, would give offence; and therefore it might be deemed virtue to violate or elude them, for any object of real, or supposed importance. For such attempts there are in Ireland sufficient skill, activity, and enterprize. Why, then, create a temptation to dark intrigue, and criminal activity? The principles

of loyalty are, I am fully persuaded, deeply wrought into the constitutions of Irish Catholics; but these principles ought to be promoted, and not discouraged; fostered, and not smothered. Insult and distrust would give an artificial importance to the restraint imposed, a factitious value to the thing withheld, and this value might operate as a premium to disaffection. Then give them unconditional emancipation, and you secure their affections; you consolidate the union of the two countries; you appeal to Catholic honour, and Irish generosity,—an appeal to which every heart and hand will respond in the hour of your difficulties and danger.

CONCLUSION.

THE foregoing brief observations are intended as an appeal—though, it is feared, but a feeble appeal—to the good feeling of the English nation, their views of sound policy, but, *above all, to their sense of moral and religious obligation.* Surely, it will not be, openly, contended, that the rules of honesty, justice, forbearance, and humanity, bind us only in our dealings with individuals; and are not to operate in regulating our treatment of large masses of our fellow-creatures. This con-

sideration deserves the attention of all Christians who are persuaded that the circulation of the Bible does not atone for the violation of its precepts. For my own part, I feel that my offences against God are many and grievous: for them I am accountable; but let me not be answerable, in the whole or in part, for the offences of millions of my countrymen, in whose breasts my selfishness or injustice, in opposing their rightful claims, must excite the malignant passions of anger, revenge, malice, or desperation. For any share in the production of such horrible feelings, let me never be called to an account, nor for the selfishness and injustice which could provoke them. Are we commanded by Scripture to deal out justice by retail, and traffic in injustice by wholesale? Or, shall the pride and presumption of private judgment, which has almost extinguished Christianity in Protestant Germany, be permitted to reason away, by indirect means, or tacitly explode the morality of the Gospel in England and Ireland? Strange! that a divine code, professing to regulate the PRACTICE, as well as the belief of human beings, should never be openly appealed to by *Protestants* in the discussion of a question so interesting to a great majority of the Irish nation. But, if the precepts of that code be considered, by the polititian, as either above or beneath his notice, where are the eloquent advocates of biblical circulation, the enlightened champions of

"private judgment," the "benevolent and religious" exclusionists? are they also turned politicians? or if not, why,—when a question is agitated which involves the rights of their Christian neighbours, and, consequently, their property, character, security, and peace of mind,—why do they not found arguments or scriptural texts against the existence of such rights, and against an acquiescence in the claims founded upon them? Is it not because they feel that the morality of the Gospel is awfully at variance with that of "Protestant Ascendency?" But, surely, such discordance might be removed by the intrepidity of private judgment, operating on stubborn texts with ingenious subtilty, under the influence of that *beau ideal* of perfection—a "Protestant Constitution." Is the private judgment of our Bible Society Doctors less able and daring than that of their German brethren? But, may a merciful Providence protect these countries from the further progress of that pernicious principle, which has deluged the cradle of the Reformation with the most shocking impiety and rank infidelity. Read, ye advocates of unqualified private judgment, read the able and painfully interesting publication* of the Rev. Mr. Rose, read the statement

* The State of the Protestant Religion in Germany; in a series of Discourses, preached before the University of Cambridge, by the Rev. H. J. Rose, M. A. of Trinity College, and Vicar of Horsham, Sussex.

of facts—of awful facts which it details, and the cause which produced them; then, say whether you have or have not any misgivings of conscience. It may surely be admitted, as an axiom, that the doctrines of Christianity, as embraced by the primitive Christians, were, at least, as pure as they have been at any subsequent period, or *can be*, to the end of the world. On this axiom the Reformed and Lutheran Churches, on the Continent, as well as the Church of England, have acted. They laboured, *professedly*, to restore Christianity to its *original* purity. They appealed to the belief of the primitive ages, as the best, or only admissible comment on the doctrinal parts of Scripture. The Roman Catholic Church joined in the appeal: and thus, all these Churches, though differing considerably on minor points, agreed in maintaining the great essentials of Christianity, because they drew from the same source—the Word of God as understood by the first Christians. Confessions of faith, resting on this foundation, were drawn up by the English and foreign Reformers, to which was required the subscription of every candidate for the ministry. But in process of time "a device," as Mr. Rose informs us, "has been adopted in Germany, "for escaping from the restrictive powers of these "Articles of Faith; and ever since that period "they have been subscribed with this qualification "—*as far as they agree with Scripture;* a qualifi-

" cation which obviously bestows, on the ministry, " the most perfect liberty of believing and teach- " ing whatever their own fancy may suggest." Thus, the confessions of faith were despised; the authority of the primitive Christians thrown over board; and private judgment became the arbiter and dispenser of scriptural truth. A short extract from Mr. Rose's book, in the Appendix to these pages, will convey some faint idea of the dreadful result.

APPENDIX.

No. I.

MR. ROSE tells us, that, from his review of the state of Protestantism in Germany, "a stronger, and perhaps more im- "portant lesson is offered on that subject, which is *said* to "form the *base, and the boast of Protestanism*—the right "of private judgment. I speak not, of course, of the legal, "or even of the moral right; but of the right as possessed "by the *members*, and especially the *ministers* of *any* "Church. The Church of England, in her Articles, *ex-* "*pressly assumes* the exercise of an authority *entirely at* "*variance with it*; the *practice*, at least, of every body, even "of dissenters, is at variance with it also; and the *terrible* "*evils* resulting in the German Church *from its exercise*, are "the strongest *practical* proof of the *wisdom and necessity* "*of restraining it.*" Of these "terrible evils" take a *few* instances. Among the German *divines* it is a favourite doctrine, "that it is impossible there could have been a miracle; "and the words of Scripture were examined and forced into "any meaning but their own." "By some, the (miracles) "were said to be that mythology which must attend every reli- "gion to gain the attention of the multitude; by some, the "common and well-known ribaldry of the infidel was unspar- "ingly used; by one or more, *high in station in the Church*, "some *artifice*, and probably *magnetism*, has been, *even* "*within the last ten years*, suggested." We are also told that very many divines affirm—"that there is nothing in the Old Testament clear enough to argue from without fear of arbi-

trary conclusions." Others "went so far as to attack the "whole body of the prophets, as imposters, in the most out- "rageous and revolting terms." But my limits do not admit of protracted quotation. Suffice it to say, that the inspiration of the Scriptures is denied, except in a sense which would make the moral precepts of Cicero or Seneca a revelation: and we are assured that "*this doctrine was taught by divines* "*from the pulpit, by professors from the chairs of theology;* "it was addressed to the old, to free them from *ancient preju-* "*dices;* and to the young, as the knowledge which could "make them *truly wise*," &c. &c. Surely, then, it is scarcely necessary to say, with Mr. Rose, "that the Protestant Church "of Germany is the mere shadow of a name." But he also tells us, that "*this abdication of Christianity* was not con- "fined to either the Lutheran, or Calvinistic profession, but "extended its baneful, and withering influence, *with equal* "*force, over each.*" From Mr. Rose we also collect, that of the few who retain any sense of religion, some became pietists, and resigned themselves to all the highest flights of enthusiastic fancy; while "some sought, in the bosom of a "Church, (the Roman Catholic,) which, in the midst of all "its dreadful corruptions,* at least possessed the form, and re- "tained the *leading doctrines* of the true Church, *the peace* "which they sought, in vain, amidst the *endless variations* of "the Protestant Churches of Germany, and their *gradual* "*renunciation of every doctrine of Christianity.*" &c.

On this afflicting statement of *facts* I make no remark.— But let it be observed, that the "gradual renunciation" above-mentioned, has certainly not been retarded in its progress, if not premoted, by the proceedings and influence of the British and Foreign Bible Society. On the first appearance of this

* Mr. Rose dedicates his Book, in very flattering terms, to the Bishop of *Chester*.

Association, its professed object, and *great principle*, were hailed with rapture in Protestant Germany. The divines of that country were not slow in holding out the right hand of fellowship to their English brethren of the new Association.—Both, ranging themselves under the banners of unqualified *private judgment*, immediately commenced a spiritual warfare against "*superstition and idolatry*." Though Germany was then better supplied with copies of the Word of God than, perhaps, any other country, yet Bible Societies started up, as if by enchantment, in the villages and towns, and received, with a transport scarcely spiritual, large pecuniary remittances from the zeal and opulence of their English associates. Thus, copious streams of wealth, issuing from the vanity, ostentation, piety, or fanaticism, of the parent Society, irrigated and refreshed the thirsty sands of Westphalia and Brandenburg, depositing, in their course, Bibles and Testaments without number, note, or comment, together with animated exhortations to the vigorous exercise of unqualified private judgment. The Germans extolled the English as the great revivers and *generous* patrons of religious truth; and the latter repaid the flattering compliment with fresh remittances of sterling gold, grateful acknowledgments, and *unqualified approbation*.—The names of the German princes, ministers of state, professors, and divines, who established and patronised the different Bible Societies, were read with triumphant intonation, in the Reports of the British and foreign Bible Society; their praises furnished an interesting topic of conversation to those who could interestingly converse on no other subject; and our Irish societies echoed these eulogies in deeper tones, and manly provincial accents. In this great concert of praise Germany had but one rival—the Emperor Alexander,—who lived long enough to encourage Bible Societies with imperial munificence, to be lauded by saints, and, afterwards, to cast them off in disgrace. Was he suspicious; did he watch them closely; and was he governed, at last, by the evidence of *facts*, and not by the

theories of enthusiasm? But have the *German saints* been yet cast off by our Bible Societies; or, are they preparing to defend those *enlightened Christians* in opposition to Mr. Rose, and a cloud of concurring evidence? There are, also, various *other points*, on which the public expect some information from these "venerable" bodies. But, on these, I am silent at present.

No. II.

THE following short extract from the Bishop of London's last Visitation Charge, will discover his lordship's sentiments on the subject of unqualified private judgment—the great principle of our Bible Societies, and modern German divines. He had been exhorting his Clergy to "resist" the high pretensions of the Church of Rome, and asks "how is this to be done? "Not, *surely*, by retaliating misstatements, invectives, and "calumnies, or *crudely asserting an unqualified right of "private judgment*, but by *referring to primitive antiquity*," &c. &c.—This latter is, indeed, the only principle that can *preserve* Christian truth, or the *spiritual* authority of a Christian Church; and, accordingly, I am fully persuaded that the former principle, so justly condemned by his Lordship, and denounced by Mr. Rose, is *really* anti-Christian. Yet, on this basis are founded the proceedings of all the proselyting societies in Ireland. While they vainly attempt to subvert popery, they are, ignorantly, or wilfully, labouring to undermine Christianity itself. If they persevere in measures so obnoxious to the Catholic population, and so productive of bad feeling, such perseverance can only be accounted for by supposing that they mean either to extinguish the Christian religion, to excite a rebellion, or, by converting "benighted papists," to rescue them from that eternal perdition which would otherwise be their inevitable doom. If the last and mildest supposition be adopted, how intense must be that bigotry which would con-

fine salvation exclusively to Protestants; and yet how gracious that charity, which perseveres in measures evidently tending to bloodshed and desolation, for the mere *chance* of effecting conversions, which, in the nature of things must be extremely limited, and, generally, insincere, as experience abundantly testifies? Thus, at a mighty risk, the melting charity of high Churchmen and proselyting Societies would pluck a few souls as brands from that fire, to which millions are consigned by their inhuman bigotry. What a practical illustration of the tenet of exclusive salvation!

No. III.

In early life, while engaged in a course of theological reading, the scriptural arguments for and against the Athanasian and Arian hypotheses, respectively, appeared, to the writer of these pages, to be so nicely balanced, that his assent fluctuated for some time, between them. But due reflection on the nature and authority of the Christian Church, fixed him in the firm belief of the Athanasian creed, to which he steadily adheres, with the exception of the damnatory clause, for which he was once a zealous advocate. But the duties of a laborious profession having ceased, for some years, time has been gained for due examination on this, and other points. He, therefore, takes the present opportunity of publicly declaring his dissent from the damnatory clause above-mentioned. This he does from conscientious motives, and with unfeigned deference to the Churches of Rome and England, whose joint authority he has often found a safe and useful guide. But, on this occasion, their influence gives way to arguments founded on reason and Scripture, which to *his* mind are irresistible; while historical evidence has convinced him that the clause in question was originally mixed up with a solemn declaration of faith by that implacable spirit of religious rancour, which, in every age,

has disgraced professing Christians. His case affords a living instance of the necessity and importance of authority to weak and erring man; and, also, it is hoped, of the legitimate exercise of private judgment, honestly but *reluctantly* and in a single instance, deciding for itself in opposition to that authority. From the introduction of the damnatory clause into the creed, we can, however, confidently infer that the German and Bible Society principle of unqualified private judgment was disallowed by the Fathers of the Church in the early part of the fourth century. The condemnation of the Arian doctrine, unquestionably, implied a condemnation of the private judgment in whose interpretation of Scripture it originated. The assembled Fathers had undoubtedly a right to condemn the *doctrine*, but no right to consign its *teachers* to everlasting perdition. This uncharitable sentence, however, proves to demonstration, that the claims of unqualified private judgment were not only disallowed, but *regarded with horror* by the primitive Christians. How often, in the dispensations of a kind Providence, is good extracted from evil!

No. IV.

YOU friends of Christianity BEWARE of Bible Societies *every where!* You friends of "peace and good will among men" BEWARE of Bible Societies and other proselyting Associations, especially *in Ireland!* Remember their great principle has nearly extinguished Christianity in what is still *called* Protestant Germany. Read Mr. Rose's book: it is the result of personal observation in that country, and of an extensive perusal of the works of what are often styled the "*great German Divines.*" Be wise in time, and farewell.

THE END.

A

CHARGE

DELIVERED AT HIS

Triennial and Metropolitan

VISITATION,

IN

ST. PATRICK'S CATHEDRAL,

DUBLIN,

ON TUESDAY THE 10TH OF OCTOBER,

1826:

BY

WILLIAM MAGEE, D.D. F.R.S. M.R.I.A. &c.

ARCHBISHOP OF DUBLIN.

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TO

THE RIGHT REVEREND AND REVEREND,

THE BISHOPS,

THE DEANS AND CHAPTERS,

AND

THE ARCHDEACONS AND CLERGY

OF THE

PROVINCE OF DUBLIN,

THIS CHARGE,

PUBLISHED AT THEIR REQUEST,

IS INSCRIBED,

BY

THEIR AFFECTIONATE FRIEND AND BROTHER,

W. DUBLIN.

A

CHARGE,

&c. &c.

IT has happened, my Reverend Brethren, from various circumstances, that I have been prevented from personally holding a regular visitation of these Dioceses, since I last addressed you from this place. Many events have occurred, within that period, deeply affecting the interests of the Church, and many important topics connected with those events press for observation. But there is one paramount subject, to which I would beg to draw your considerate and patient attention: a subject too, of a magnitude well suited to the present occasion, on which I have to express my sentiments, in the presence not only of my own Clergy as Diocesan, but in that also of the Synod of the entire province as Metropolitan.

At this day, when, from causes which cannot be mistaken and are indeed no longer concealed, clamours have been raised and reiterated against our national Clergy; when false notions respecting the nature of our Establishment are industriously and dishonestly circulated; when not only its efficiency, but its legitimacy, has been denied, so that even the very principle, which unites us with the State, has been brought in question; it may appear no inappropriate use of the present opportunity, to review the first principles of our Church Establishment, and to ascertain the grounds, on which, as a portion of the Church of Christ, of the true Catholic Church, we stand connected with the State; as well as the conditions which regulate, and the limits which define, that connexion. We shall thus be the better able to expose the fallacies, which fraud would impose on ignorance to our detriment; and to deprive fanaticism, cupidity, and irreligion of those false colours, under which they wage their unhallowed warfare against the Established Religion of the country.

Indeed, independently of such considerations, it cannot but be at all times important, that the principles of a Union, whose consequences to the community must be vitally influential, should be thoroughly understood, and steadily kept in view, both by the Clergy and the

Public. By the clear understanding of those principles, it is, that the one will be enabled to see and preserve their true position in the State, and the other will be taught to value and defend that order of men, whose binding principle is the cement of the social polity, and whose civil existence is essentially interwoven, even for temporal purposes, with the best interests of the Nation.

The ground of the Union, of which we speak, is, happily for these lands in which our Church is established, the same with that on which rests the stability of our civil fabric: and it is that, by which alone, in every state and country, unity and permanency can be secured to the system of Government: namely, a *Sovereign Supremacy within the Realm*, not to be interfered with by any extrinsic power, nor to be resisted by any domestic impediment. This was the first great principle, which, at the dawn of the Reformation in these Countries, was rescued from the encroachments of a power, which, by the joint agencies of fraud and force, had erected a visionary throne above the thrones of the most potent monarchs; had set conscience at its pleasure in array against allegiance; and by a magic and mystic influence superseding all civil authorities wherever dispersed, had threatened to make that kingdom, which our Lord pronounced not to be of this

world, one great ambitious monarchy commensurate with the world itself.

The great principle, which by the Reformation was rescued from this corrupting domination, is one which it is equally incumbent on all to maintain in its present vigour. It is that, which alone can preserve the equilibrium of Government: that which gives religion to the state, as the soul to the body: not a distinct power which may clash, or if drawn into union may enter as an ally with conflicting claims and privileges and checks; but a vitalising spirit, pervading, and animating, and guiding, and tranquillising, the whole community.

Nothing is more common with unreflecting minds, than to suppose a religious establishment, in its temporal character, as possessing an interest distinct from the state: a sort of incorporated craft, seeking its own ends, and working its own gains, through the power of its temporal associate.

This may indeed be the case, where the Established Religion is not embodied with the State; where it has a separate Head from the State; or where (as sometimes happens) it acknowledges no human head, and claims an independent existence. But, where it rests

upon the same supreme sovereignty with the State itself; where it and the State are but two different aspects of the same Christian community; where it is harmoniously associated with the State for the accomplishment of its highest purpose, the greatest happiness of the people; where it acts in such a manner as that it may be said to constitute the *conscience* of the state; there it is impossible, with any justness, to view its ministers as a body pursuing their own ends, and to be considered merely in their individual relations. Contemplated in their temporal capacity, they must be looked on as the instruments of the state for its great objects; bound up in it for the public good; maintained by it on a public principle, and by means not left to individual option, even when made dependent on a revenue derived from individuals. Not like those, who have contracted with individuals, receiving a return as compensation for service done to the individual; but as discharging a great public duty, and deriving the return allotted by the state, from the allegiance which the subject owes to the sovereign power and the laws, and not from the value which he may please to set on the individual advantage conferred.

And this view of the case, in truth, may, in direct opposition to one of the vulgarly prevailing errors of the day, reverse the proportion

between the benefit derived by the Individual from an Established Clergy, and his duty to contribute to their support; since the very persons, whose irreligious and immoral conduct and corrupting example, or whose unsettling opinions, may lead them to reject the offices of an authorised Christian Ministry, or tend to make those offices barren and ineffective, are the very persons, who render the invigorated and multiplied exertions of such a Ministry the more necessary for the confirming those binding principles of civil union, which the antisocial and decomposing notions of such men would relax and dissolve; and therefore, they are eminently the very persons, on whom the encreased burden of the more extended system of counteraction should principally press.

But, in the very outset of the subject, and before we are permitted to enter upon the character and consequences of an Establishment, we are met with the position, that Religion is a matter which belongs not to the Civil Magistrate: that it is a concern between the Individual and his God, which comes not within the range of human Institution: that, consequently, the very principle of a Religious Establishment is unsound; and that the Civil Magistrate has no right to exercise the powers of the state either for its formation or support.

Yet surely it seems a strange thing to say, that there are any matters connected with the well being of a state, over which the sovereign power of that state shall have no control. It seems a still stranger thing to assert, that in that which above all connects itself most materially with the well being of the community, he, whose first duty it is to promote the welfare of that community, shall have no concern.

Man is a compounded Being, not more impelled to seek his temporal advantage, than bound to pursue his eternal interests. Must not the state look to him in both conditions: and as far as possible assist its individual members in the attainment of both? Is not the Sovereign to rule for the greatest good of the whole? And can he leave out any part of that which constitutes their greatest good?

Is he not, again, bound by the duty which he owes to God, so to govern his people, as to enable them best to obey the will of the great common Sovereign of all? Must he not, then, secure for his subjects the best aids of Religion? And does not the establishment of a national religion become a necessary branch of the duty of the Sovereign, and an essential constituent of the well being of the people? Is not then, the rejection of it by a state, or a professed indifference as to its truth or falsehood, an open

declaration, that human affairs may be conducted without any regard to divine superintendence or authority, and that man may live without God in the world?

In truth, every separation of divine and human things is a rejection of Providence: it is an enslavement of all to human policy: it has been, and is from day to day, the cause of those wholesale departures from the principle of right, which go under the name of "reasons of state;" and which tend, by their pernicious example, to demoralise man, and to disorganise society.

No state ought to exist, that sets Providence aside, and openly disregards divine things, or acts so as to subvert divine truths. Man cannot war against God, and God must rule over the kingdoms of men. Those that will not be the subjects of his sway, must be the objects of his vengeance. And such nations as prove themselves not the fit instruments for promoting his moral Government of the world, must expect to be broken up, so soon as they have effected those temporal objects, for which Providence may have suffered them for a time to continue: which, amongst others, may possibly have been, the infliction of punishment on other guilty nations, which may demand for them a momentary display of power; or again, the open mani-

festation of their own profligacy, to the clearer justification of the ways of God in his dealings with men.

I should not have dwelt so long upon so plain a proposition, as that, which affirms it to be the duty of the Sovereign to provide a *true* religion for his people, but that, strange as it may appear, it is a maxim, which hangs but loosely upon the minds of many at the present day: nay, even the contrary position is openly maintained by some, not only those who are avowed enemies to a religious Establishment altogether, but by some who maintain its lawfulness and its necessity, upon grounds both of public duty and of religious obligation.

As to the former class, those who would separate the concerns of religion altogether from the state, and leave the nation without an established Clergy, the examples which they present to the experience of mankind, in the instances of revolutionary France, and of the new government of America, as well as (in a smaller sphere) of those ever varying, and non descript classes of nameless dissentients within the limits of our own country, which bring religion itself into disrepute:—these examples, I say, hold forth no such attractive spectacle of the benefits of the scheme of these national free thinkers, as to demand any very

particular consideration. These may be safely left for decision to the common sense of mankind, (which has been indeed already unequivocally pronounced upon them,) and to the bearing of the general propositions which have been, and of others which will be, advanced in this Discourse.

But with respect to the latter class, those who admit the lawfulness and necessity of an Establishment, the matter becomes a subject of weighty consideration indeed. Error among these, on so essential a point as that with which we are concerned, is an enemy within the camp. This is, in the Psalmist's language, my own familiar friend, whose precious balms must not be allowed to break my head. On this part of the subject, therefore, I must intreat particular attention; especially, as among those, whose erroneous opinion we are now about to examine, is to be ranked the name of a most distinguished Prelate, whose talents and learning have secured to him so high a place amongst the theologians of our church, that it is little less than a duty, to mark the errors, into which the enterprize of his genius, and the hardihood of his originality, have carried him, on this, as they have done on some other subjects: and, the more especially, as his theory has formed the chief standard of modern opinion upon the question before us; and, agreeably to the loose

principles of the fashionable philosophy of the present day, has been turned to most mischievous account.

Some of my hearers will have anticipated me, when I announce the name of *Warburton*, and refer particularly to his well known work on the Alliance between Church and State: a work, in which, whilst the Author has vindicated in detail by the most powerful arguments, the nature and character of the Establishment of the Episcopal Reformed Religion in these countries, he has, at the same time, erected the system upon a principle, whose unsoundness admits of consequences, not only perilous to the Establishment, but detrimental to the interests of Religion itself.

The theory of this celebrated work is thus shortly described. Two independent societies are primarily supposed to exist, the one Civil, the other Religious: the care of the former extending only to the body and *its* concerns; and the care of the latter exclusively to that of the soul. Between these two independent societies an alliance is supposed to be formed by voluntary compact; in which the Civil power affords protection to the Religious, for the temporal benefit which it confers; it being always understood, that the end, for which Religion is established by the Civil power, has *no connexion*

with religious truth, but simply rests in *civil utility*.

Not to dwell upon this gratuitous notion of a *compact*, which cannot be affirmed ever to have had existence; it is, in the first place, to be observed, that the civil ruler is supposed to have no regard for any but the lower and meaner concerns of his people, their mere temporal convenience: and, in the next place, that whilst to this end he allows Religion to be essentially instrumental, as appears from the necessity he conceives of admitting it into alliance on that account, he yet feels no concern for the truth of the religion which he thus calls to his aid:—as if a false Religion could work the temporal benefit of man equally with the true; that is, as if there were no difference between false and true religion in their influence on society; and that, in the concerns of this life, Religion were altogether but a name: in direct opposition to the word of divine truth, which has assured us, that "Godliness is profitable for all things, as well for the life that now is, as for that which is to come."

This view, it must be admitted, presents a complication of inconsistencies, too palpable to require much enlargement. These, whilst they mark the system to be unsound in its foundation, clearly illustrate the consequence of

separating the primary concern of the Sovereign from the provision of a Religion for the people, and consequently from the provision of that which he deems to be a true religion.

The great fundamental error, which lies at the bottom of all these inconsistencies, is that, which has been but too prevalent in later times; the substitution of policy for duty, of expediency for right. That association of the Religious with the Civil, which this Prelate admits to be requisite for the great ends of Society, he does not found upon the true principle, the duty of the Magistrate; but on the fiction of a voluntary compact, whereby the Church resigns her independence for protection. The learned Prelate is here again met with difficulties, from which he cannot extricate his system. The Church having primarily a distinct existence from the State, and at the same time possessing an influence over the mind, which if left to its unrestricted operation must constitute an imperium in imperio incompatible with the supreme sovereignty, it became unavoidable that the former should surrender its independency.

But then, in the first place, it becomes a question, whether independency be a right that any society can voluntarily surrender; especially a society, whose object is the care of human souls. And, in the next place, if that in-

dependence be surrendered for protection, what security is there for protection, when that independence is gone? Besides, if the Civil Magistrate is to be perfectly indifferent as to the truth of the religion he adopts, how can a religious society safely surrender its independence to a power, which, not regarding the soundness of the principles on which it is founded, may, from motives of temporary advantage, betray that religion to those who would subvert its principles?

Again, if the Religious society is made absolutely dependent upon the Civil, is it not then as much the creature of the Civil, as if it had been the effect of its arbitrary formation? And what then becomes of the conditions of the supposed compact? There is no third power to mediate. It is of the essence of the Sovereign will to be above control. The Religious Society must be as it were absorbed into the system; no trace of an independent existence can remain, and the Sovereign exercises his supremacy in matters ecclesiastical and civil with equal authority.

It may be said, indeed, that if the single sovereignty, in all matters ecclesiastical and civil, thus ultimately grows out of this scheme of Alliance, as completely, as if it had been founded in the principle of an original right

in the sovereign to rule in both, it signifies nothing as to the conception of the mode: that the effect being equally secured, it is of no moment how it came to be produced. But in this there is a great mistake. The fixed ground of *right*, is necessarily a ground of *duty*. And therefore the Sovereign, in the one case, is restrained in his choice by principles which look to religious truth; and in the other, as we have seen, is actually prevented from looking to the truth of the religion which he adopts, and must be governed only by his views of temporal advantage.

The learned Prelate has, in the formation of his system, acted as a Politician, not as a Theologian. Divines, we are told, make bad politicians. So, I trust, they ever will be found: if, to form a good politician, it be requisite to sacrifice any one of those great principles of right and truth, which no honest theologian can ever relinquish, upon any plea of expediency, or for any show of temporal advantage.

A system, such as that which we have considered, which avows a total indifference as to religious truth, and which must, of course, if followed up with perfect consistency, as readily adopt the cruel idolatries of Juggernaut, as the religion of Jesus Christ, provided thereby under peculiar circumstances temporal advantages

were expected to be acquired;—would seem, in like manner, to release the subject from all religious obligation in his obedience. Religion being confessedly employed by the state, merely as the means of working its temporal ends, the subject must naturally feel his relation to the Ruler as only of a temporal character, and to be governed solely by temporal considerations; unless indeed, in opposition to the lesson taught him by the State, he adopts that standard of duty which the Ruler rejects, and submits himself to the ordinances of man for the Lord's sake; thereby superadding the power of conscience to the penalty of the law, and converting the forced subjection of the slave into the willing submission of the subject.

And therefore the Ruler is obliged, after all, to rely for the support of his authority upon the influence of that religious principle in his people, which he disclaims in himself; unless he be content to place his whole dependence upon fear, which is a weak defence of thrones; and to resolve all temporal power into force, which is a government for brutes and not for men.

The learned Prelate, indeed, it must be confessed, does not avowedly push his scheme to this extravagant extent. He observes, that though religion or the care of the soul be not

within the province of the Magistrate, yet this must always be understood with exception to the fundamental principles of natural religion; —namely, the Being of a God; his Providence over human affairs; and the natural essential difference between moral good and evil.

These doctrines, he contends, it is of the office of the Magistrate to cherish, protect, and propagate; and even to prevent all opposition to them, as he would the most flagrant offences against civil peace. Nor does this (he adds) at all contradict his general position, that the sole end of civil society is the conservation of Body and Goods; for that these lie at the very foundation of society, and the Magistrate is concerned with their support not as they promote our future happiness but our present.

But it is to be feared, that the learned Prelate has here let in too much in the way of exception to his theory, or too little:—too much, if the Civil Magistrate is concerned, not with opinions, but with acts: too little, if there be other opinions fundamentally necessary to Society as well as these. And, surely, it must be admitted of these very truths, that if they be necessary for the well being of Society, the right reception of them must be equally ne-

cessary. Now, how a right notion of God can be had but by a just conception of his attributes: how his Providence can be apprehended without a knowledge of his dealings with his creatures, and especially of his final treatment of them in a future state: and how good and evil can be usefully distinguished but by reference to some just rule of duty,—are matters not easy to be understood. And how, again, all these can be severally attained but by the teaching of divine revelation, it will be found not less difficult to comprehend.

And thus it seems to follow from what is conceded, that the Civil Magistrate has an essential concern in the right teaching of all these things; whether he chooses to pronounce of them, as regarded by him merely in reference to this world's goods, or in relation to those higher objects for which the goods of this world can alone be valued: whether he chooses to depreciate and degrade them, as seeking them only for his own ends; or to exalt them to their true place, by referring them to that higher destination, for which both he and they were designed.

Thus, then, it appears, that with the erroneous principle, that would confine the care of the Magistrate to matters which affect the body, inconsistencies and contradictions are insepa-

rably linked; whilst the author who maintains this, contends for an alliance with the principle of religion, without which, it is agreed on all hands, that no Society of men can continue.

On the foundation of the distinct provinces of the Civil and the Religious Societies many have been disposed to build with Bishop Warburton, who at the same time contend, that his doctrine of an Alliance between these is totally unfounded; and who avail themselves of the various inconsistencies in his scheme, to show that no such Alliance can subsist. Of these the most prominent is a lay writer of the Communion of the Church of Rome, who condemns in the strongest terms, the position, that the Church can resign her independency to the Civil power, and make the Magistrate the supreme head. Mutual concessions between the Church and State he holds to be impossible: and, at the same time, he contends, that the independence of the Christian Church is derived from a higher source than that which the State can claim as the origin of its rights, the one flowing immediately from mere human authority, and the other deriving its origin from a divine right.

In asserting this principle, this writer is joined by those who are most opposed to the

religious scheme which he defends; and both the Church of Rome, and the Church of Geneva, have built upon the common ground that the Civil Magistrate can have no interference in the concerns of the Church; that the source of its authority is placed beyond all human reach: and therefore the Supremacy of the Civil Magistrate as established in the Church of England is alike resisted by both; and the Independent and the Romanist are sure to make common cause in every case in which that supremacy is concerned.

At the same time it must be remembered, that this Union against the Church of England springs from principles directly opposed to each other in the two combining parties: the one denying that the Church can be subject to any head whatever, the other contending that the whole Church of Christ has been made subject to one human Governor;—if human, indeed, he can be called, who is held to be the Vicegerent of Christ in the Government of his Church, and is looked to by the great majority of his followers as clothed with the infallibility that belongs to Christ himself. So that were the Church of England withdrawn from the intermediate space which it occupies between these two incongruous leaguers, so as to permit the immediate collision of their peculiar principles, their mutual opposition must be marked

by stronger characters of repulsion than those which animate either against that Church at the present day. They, who now deny the lawfulness of allegiance to a supreme human authority in matters ecclesiastical, must be in that event required, not only to admit that allegiance, but to devote it to a foreign functionary; that functionary, of an Order, too, which they condemn as an unscriptural abomination; and yet, who, in virtue of that very Order, would claim authority by Divine right over their Church.

But it becomes necessary to consider, upon what ground it is, that they, who deny that Religion falls within the jurisdiction of the Civil Ruler, maintain that denial.

It is urged, in the first place, that if Religion be the proper concern of the Civil Ruler, there is nothing to prevent it in that case from devolving upon him entirely, so that the care of souls should come within his immediate province. And, in the next place, it is contended, that there can be nothing to prevent him from feeling himself authorised to impose upon his people whatever religion he may think proper to prescribe. And thus, it is said, the Civil Ruler may consider himself empowered, not only to assume the spiritual functions, but, for the propagation of that religion

which he deems to be true, to exercise a spiritual dominion over the consciences of his subjects.

But, the very Religion, which the Ruler is bound to support,—I speak here of the Christian Ruler of course, with no other have we any concern,—that very Religion debars him from the assumption of such powers. His authority is at the same time his restraint. The Christian Governor has no right to prescribe against the known law of God, contained in his written word. And that very law, which has proclaimed, that "Kings shall be the nursing fathers and Queens the nursing mothers" of his Church; that they are to protect and cherish it with the supreme powers with which they are invested;—has pronounced, that it is *His* Church, to which they are to afford their fostering aid; that it is as Supreme *temporal* Rulers, they are to minister support; and that it is to the religion, which God's word prescribes, *that* support is to be supplied.

The Sovereign, then, is, in the very first instance, withheld from the exercise of functions purely spiritual; because these are, by the divine authority, conferred upon an order of men, set apart, by a special commission from our Lord himself, to preach his religion, and to administer his Sacraments; a commission, which

not only conferred those powers on his first chosen followers, but secured their transmission to an authorised Ministry, by a legitimate succession, throughout all the ages of his Church. From the exercise of these functions, then, or the bestowing the capacity to exercise them, the Sovereign is restrained. This is matter of Divine Institution. The Civil Magistrate can neither confer, nor exercise, the sacred function. To him belongs not the power of Order. He can neither execute, nor qualify any to execute, the Ministration of the word and the Sacraments. He cannot change any thing, which God's law has clearly determined and prescribed. All those spiritual functions, in a word, which were possessed by the Apostles, and by those whom they commissioned, are withheld by the divine appointment from the jurisdiction of the Sovereign, and confined to that class of men whom God ordained to succeed them in his Church. These are from a Commission higher than human, and therefore no human power can be permitted to usurp them.

Again, on the same principle by which the Sovereign is restrained from assuming to himself the exercise of spiritual functions, he is likewise restrained in his choice amongst the various descriptions of those by whom they are exercised, as to whom he should appoint as

the authorised religious teachers of his people.

And, first, it is manifest, that as he cannot prescribe against the known laws of God, so he cannot prescribe in favour of a system that goes against those laws: he cannot prescribe in favour of a system, that shuts out the revealed word of God, whereby those laws are made known: he cannot prescribe in favour of a system, that will not be judged by that word, or (which is the same thing) that will not be judged by it, in any interpretation, but that which it arbitrarily imposes on it itself. The sacred Scripture, the charter of the Christian faith, supplies that great public standard of the Laws and will of God, to which both Prince and people througout the whole Christian world must refer for their appropriate duties. Since infallibility belongs not to man, and is the attribute of Omniscience alone, the Magistrate may not always be so fully assured, that the form of Religion, which appears to his judgment to agree with this standard, is so correct a transcript, as that he should feel himself unqualifiedly authorised to prescribe it to his people: but of this he must be certain, that he *cannot* prescribe to his people a form, which rejects or nullifies that standard. He may not perhaps hold himself justified, in all cases, to enjoin a religion which he deems to be true; but he is clearly not at liberty to em-

ploy for the instruction of his people a form which is false:—which every form manifestly is, that forbids, or impedes, or discourages the free perusal of the *written word of God.* In human affairs, the Legislator, who would debar his people from free access to the written laws, which had been framed for their guidance, under the pretence that they might not rightly understand them, or under *any* pretence, would be considered as an intolerant tyrant, to whose yoke it was impossible to submit. What then, must be thought of that Legislator, who in matters of everlasting moment, would obstruct his people in the examination of the written record of those higher laws, by which their final destiny was to be fixed; and who, in the great Charter of Salvation, would exercise a power, which, were he to exercise it on the Charter of Runnymede, would arm against him every free spirit, as a despotism not to be endured.

Again, the Sovereign cannot (at least he cannot consistently) prescribe in favour of a system, the nature, and extent, and limits of which are not made known, and unequivocally defined. It being his duty, to the utmost of his power, to secure to his people the teaching of religious truth, it of course becomes his duty to be fully apprized of that, which is to be taught *as* truth. A system, which either rejects the idea of a fixed creed, or contains within it a

principle of indefinite variation, cannot be adopted, without incurring the risk of adopting what it might become the duty of the state to discard, and thus laying the foundation of religious conflict, and general confusion. The scripture itself, although it comprises all truth necessary to salvation, yet does not comprize it in the form of one connected scheme, all whose lines and boundaries are plainly presented to the view. The rays of the divine light are left to be collected by the honest industry of man: and the highest praise was bestowed, by the inspired teacher of Christianity, on those, who diligently searched the Scripture to discover what was true. Those, then, who, on the one hand, affect to refer to Scripture itself, as their only creed; and those, who, on the other, pretend to additional lights through the medium of tradition, are alike open to the objection of an unsettled form of faith: and the Independent, and the Romanist, are, on this ground, equally unfitted to be the Spiritual associate of the enlightened Christian Ruler, who would provide for his people a fixed religious code, applicable to the purpose of general instruction, and of whose conformity with the revealed truth of God he might, at all times, satisfactorily assure himself, by a comparison with his sacred word.

It may sound extraordinary to some, that the last named Church, whose perpetual boast is

the unity and immutability of its faith, should be joined with the various classes of Independents, and non descript Dissentients in the charge of an unsettled creed. But the truth is, that after all its display of Councils, Canons, Catechisms, and Decretals, after all its pomp and pretension, the religion of Rome is still undefined. Its doctrines have continually changed with time and place. There is no variety of opinion or sect, that has not had shelter and nutriment within its rank and capacious enclosure; and up to this very day it cannot be said to have acquired any settled form of doctrine. Its nature indeed admits of indefinite variation, there being no fixed standard by which it is to be adjusted. Scripture supplies none, in as much as that is to be received only as the Church interprets it: and therefore all must vary at the pleasure of the Church. So that the state knows not what it embraces, when it accepts the religion of Rome as its spiritual rule: for then, in truth, it accepts the indefinite and arbitrary will of the Church, and that Church (truth compels me to add) both unscriptural and corrupt. One thing however it is sure to embrace, *a foreign ecclesiastical supremacy, clothing itself with infallibility, and excluding all from the possibility of salvation who refuse to submit to its jurisdiction.* This part of the system is sure to be found unchanged, although

every other peculiar doctrine of that Church were abandoned.

Again, the Sovereign cannot prescribe in favour of an *intolerant* religion. He cannot prescribe in favour of a religion, that denies the right of private judgment, and that exercises a dominion over conscience. Being bound to employ a free judgment upon the written word of God, in order to ascertain that what he proposes for the instruction of his people is not inconsistent with that word, he cannot deny to them the same freedom of enquiry. The law of God is itself the law of liberty. He will there find nothing to coerce conscience. An early Father has said, "it belongs not to religion to force religion." The language of the Gospel more powerfully proclaims the same. The Sovereign, who obeys the Christian law, cannot establish a religion which maintains the contrary. Such a religion he must know not to be the Religion of the Gospel. And therefore every form of religious belief, that contains within it principles subversive of the right of private judgment, he must disclaim as an auxiliary of the State. On the ground of religious liberty, he must indeed grant even to this intolerant system, toleration. But that toleration must never grow to power: for then toleration to one becomes intolerance to all. The principles, it is manifest, that are most directly

subversive of religious freedom, are those by which a Church claims for itself the possession of infallible authority, and exclusive salvation. And in degree as any Church approaches to these unscriptural and arrogant assumptions, it becomes proportionally intolerant and persecuting. The doctrine of infallibility shuts out doubt, and extinguishes inquiry; whilst from the belief, that out of the particular communion there is no salvation, not only is the adherent of that faith bound to cling to it with a blind and desperate fidelity; but, if he be influenced by an ardent love for his fellow creatures, he is impelled by humanity itself to force others by whatever means within its pale. With the salvation of immortal souls in view, is it wonderful, that a Church characterized by the unqualified influence of these tenets should be led to reject toleration from its creed; that proselytism should be ranked amongst its highest duties; and persecution, if necessary for that purpose, be classed amongst its greatest acts of charity. It is manifest, then, that against principles of such tendency, as warring not only against religious freedom and Scripture truth, but as destructive of the peace of Society itself, the Sovereign is bound peculiarly to protect his people.

Again, the Sovereign cannot prescribe in favour of a system, that maintains a spiritual

supremacy independent of Civil government: because he cannot establish a supremacy above his own. This involves a contradiction in terms; for then his supremacy would no longer exist, and he ceases in truth to be Sovereign. It is a vain thing to attempt to distinguish between spiritual and temporal in the case of Sovereign power. There can be but one Sovereign in any state: and he whose jurisdiction is of Divine right, and whose empire is over conscience, is the true Sovereign, let the creature of mere Civil Convention assume what name he may. The Civil Governor may, indeed, exert his temporal power in support of his authority; but where the two jurisdictions clash, the moral influence of that which claims a divine original will ultimately prevail. There can be no two-fold allegiance. There may be an external homage; the homage paid to power, so long as it predominates: but the true homage, the homage of the heart and will, must cleave to that by which the movements of the heart are governed: and the paramount allegiance must be felt due to that authority, which is supposed to be, by a Divine right, entitled to allegiance from the Sovereign himself.

Indeed, respecting such a system as this, one great difficulty seems to be, that to the Sovereign is not left the liberty to judge whether it

shall be established or not. It assumes the inherent right to establish itself in every Country. It is, by authority more than human, essentially supreme in spiritual matters over all. Both Prince and People are bound to submit to its mandates, as the mandates of the great Head of the Christian Church; and they, who refuse to do so, are rebels against a rightful Sovereignty. All are, in truth and reality, the subjects of its sway, whether they will acknowledge it or not. Now, as this, wherever it gains admission, must demand to govern by its own laws and exercise its own jurisdiction, disclaiming, either in its introduction or in its continuance, all dependence on the State; and rejecting all alliance with it, or connexion with its concerns, except so far as it may be enabled to employ the powers of the state for its own objects: it is, manifestly, the wisdom of the Sovereign (if he would retain his Sovereignty) to prevent the introduction of such a system within the range of his jurisdiction, by every means within his power. It must present itself, wherever it is received, not as an ally, but as a principal: its office must be, not to assist, but to command.

These are matters, in which we are not left to speculation or general reasoning for the result. Of the mischievous influence of such a system, when brought fairly into operation, all

Christendom has for ages had woful experience: and the degree, to which the doctrine of a universal spiritual supremacy founded in divine right, is likely to mix itself with the temporal concerns of nations, may be sufficiently estimated by the frequency, with which the power to exercise authority over kings themselves has been claimed upon that principle, even to the releasing the subjects from their Civil allegiance and to the deposition of the Sovereign. What, in truth, do we find the history of Christian Europe, during the period in which that principle was openly upheld to its full extent, but a history of wars and cruelties, springing from its ecclesiastical and temporal usurpations, and from the resistance necessarily made to its ambitious and unceasing encroachments? And, even in later times, since the Reformation has checked the presumption and reduced the strength of that Antichristian power, which had so long disturbed the peace of Europe, what do we find to be the chief cause of unquiet in the states of Christendom, but that restless spirit of intrusion and usurpation, which the same principle every where produces from its insatiable desire of ascendancy and rule? What, particularly in these highly favoured Countries, on which Providence has bestowed so many blessings, and above all the blessing of a true religion acknowledged by the State, what do we find at this day to be the chief source of the distresses,

and dissensions, which tend so powerfully to mar those blessings, but the workings of that same spirit, which will suffer nothing near it to be at rest; which inflicts on every establised institution the necessity of continual self defence; which allows to the State itself no peace; by the operation of which, acting upon the multitudes which it hourly enflames, the Laws are trampled under foot; the Sovereign Authority brought into contempt; and the Ministers of every religion, that respects the Bible and refuses subjection to a foreign head, persecuted and hunted down, as the pests of society; until at length it has become the familiar cry, with the actors in this system, and their abettors, that *the Protestant religion is a curse!*

Now, monstrous as all this appears, yet does it not naturally flow from the principles, gravely maintained, and triumphantly asserted, in support of this system? If it possesses an inherent right to be established in every Country, what can it want but sufficient power to place it there all times? In what light can any other religion adopted by the State be viewed, but as an usurpation, and its ministers as usurpers? Can they, in truth, be considered as *Christian Ministers?* They have not had the *Mission*, which alone can give them a title to act as such. There is but one Church. Or at least there is one, that is sovereign over all others that as-

sume the name. The Head of that one Church is supreme over all: and from that Head alone can any ecclesiastical jurisdiction be derived. Before this great ecclesiastical supremacy, the prerogatives of the rightful Sovereign, touching all matters ecclesiastical, vanish in every Country. He can bestow no ecclesiastical jurisdiction. The ecclesiastical functionaries of the State are derided, as exhibiting in the discharge of their spiritual duties, a burlesque on the true pastors of the only true Church. They want the legitimate mission. They want the Divine imprimatur. Their spiritual and ecclesiastical faculties are the mere figment of an Act of Parliament. Their whole Order is but a fiction of Law. And the Ecclesiastic of foreign character, who bears the Commission of a foreign Priest, and who is permitted to act under that Commission, only by the toleration of the power that he insults, holds himself authorised by the system which he supports, openly to rebuke the Sovereign and the State, in the persons of their lawfully appointed ministers, by denying to them all right of spiritual jurisdiction; insolently to demand of them in amplification of the words of an early Father, addressed to the heretics who had usurped the possessions and the offices of the true Catholics,—"who they are? from whence they came? from what heaven they fell? what earth has produced them?"—and

thus presumptuously, and on the ground of undoubted right derived from a foreign power, to assert his privilege to overturn the instituted Orders of the State, to unpriest the Clergy of the Land, to shoulder the Bishop from his Cathedral, and the Sovereign from his throne!

This, indeed, were it merely the act of individual arrogance and folly, might be passed over without notice either of the individual or the act. It might be viewed and dismissed, as the ravings of a personal vanity. But when, in truth, it is but an indiscretion in the individual, revealing the familiar feeling and the established doctrines of a Body, in avowal of the essential principles of a system, built upon the tenet of the Universal Supremacy of which we treat, what follows, but that, if the rights of the Sovereign, the peace and safety of the Community, and the respectability and usefulness and privileges of the orders of the Clergy established by the State, are to be protected, every exertion must be made, and that without delay, to counteract the turbulent and encroaching spirit, and to control and subdue the unconstitutional workings, of so domineering, so hostile, and so subversive a system?

In truth, Ascendancy must, at all times, and in all places, be the object, as it is affirmed to be

the right, of such a system. And as the ascendant must be decidedly either with the Sovereign or the System, it behoves the Sovereign to be always vigilant, to treat such a System as its particular nature imperatively demands. This at least is manifest, that such a System can never be safely or consistently adopted by the Sovereign, as his acknowledged scheme of national Religion: for, if so adopted, not only must it exercise, in virtue of its paramount rights, a dominion over the Sovereign, but also over every differing profession of religious faith, that may arise amongst his subjects, so as, by its despotic rule, finally to extinguish either the Creed, or its Professors.

Thus, we have seen, that the Sovereign is not, in virtue of his Ecclesiastical Supremacy, empowered to prescribe to his people, arbitrarily, whatever religion he may please; any more than, in virtue of his Civil Supremacy, he is entitled to impose whatever laws he may think proper. In both, he must be governed by the laws of reason and of God; and he cannot legitimately enact any thing contrary to what those laws enjoin. He cannot therefore, as we have seen, take to himself the right to exercise or to confer spiritual functions: nor can he adopt for his people a religious system, which labours under any of the disqualifications which have been enumerated. He cannot adopt a

system, which presents no defined and settled form of doctrine and belief: nor can he adopt a system, which asserts a Supremacy over Scripture, over Conscience, or over the Sovereign himself. Much less can he adopt a system, which asserts a Supremacy over all; and, still more a Supremacy founded in DIVINE RIGHT, which no human authority is entitled to question.

It is not, my Brethren, too much to say, that the form of religion, with which we stand immediately connected, presents a system which is happily free from all these disqualifications: whilst it cannot be denied, that the popular creed, against whose errors we have been specially commissioned to guard, and whose encroachments we are hourly challenged to repel, is not only subject to them all, but embodies them in its very essence, and pronounces those to be without the pale of the Catholic faith, who do not submit themselves to the Supreme authority, which declares them to be binding upon all.

The Church of England and Ireland presents herself under characters the opposite of those that have been named. She presents herself as *Scriptural*, as *Catholic*, as *Tolerant*, as *Social*, as *Loyal*, and as *Protestant*. She presents, in her Articles, her Creeds and her Liturgy, a settled

and defined scheme of *doctrine* and *worship*; for the Spiritual nature and authority of which she refers and invites her followers to the free examination of the Sacred word. And for her *discipline*, she refers to her Canons, which are few and plain.

Again the Church of England and Ireland presents herself as *Catholic*. She pretends not to be exclusively the Church of Christ, out of whose pale there can be no salvation. This presumption, in whatever Church it exists, she rejects on the contrary as *un*-catholic. Whatever community of professing Christians holds the *essentials* of the Christian religion, she considers to be a branch of the Church of Christ. To all such she is ready to give the right hand of fellowship; and for such she continually offers up her petitions to the throne of Grace; praying daily "for the good estate of the Catholic," or universal Christian "Church;" however the parts of that Church may differ from her as to that external form of Government which she deems to be *Apostolical*; and which she has thought it her duty to adopt as agreeing to the exemplar of the primitive Church of Christ; or rather, which she holds as an unbroken continuation of that Church.

The Church of England and Ireland also presents herself as *Tolerant*. Built up on the

sound fundamental principles of Protestantism; respecting the rights of conscience; assuming to herself no power to control the judgment of those who differ from her doctrines, no divine right to compel obedience to her dogmas; that Church would act with great inconsistency, indeed, if she refused toleration to those who cannot conscientiously conform to her discipline and worship. Not holding the *exclusive doctrine*, that none are to be saved who are without the pale of her communion, *intolerance* in *her* would want even the appearance of excuse. It would be a wanton violation of her own principles, a direct contradiction of her whole character. The advocates, indeed, of that exclusive doctrine which she rejects, supply the most decisive attestation to the perfect and practical toleration of her principles, in the very reproaches which they bring against her for the great variety of sects which have grown up beneath her shelter: an evil, whatever it may be, which the coercive system, opposed to Protestantism, is enabled, by a very summary process, effectually to correct.

To this tolerant character of the Church of England, the existence of the test laws, and the political disabilities of the adherents of the Pope are opposed, as vital objections. But this arises from a gross perversion of ideas upon this subject. The evil of test laws (as far as it

is an evil) may be urged as an argument against the principle of an Establishment; but this principle being once admitted, their existence is well known to those, who have considered the subject, to be the result of a toleration rather than a denial of it. The single fact, that in those countries in which there is no toleration there are no test laws, may supply a short argument upon this head. Intolerance needs them not. It has more compendious modes of self protection. And, as to the political disabilities attached to popery in these islands; if they be considered, as they are in truth, not *penal* but *defensive*; if the subjects of them may reasonably be viewed as the imposers; then the point of intolerance is out of the question.

But, let these things be as they may, the Church, it should always be remembered, has, strictly speaking, no concern in the case. These things are matter of political enactment, which belongs not to the Church but to the State; and with which, as a Church, she has no more connexion, and for which she is liable to no more responsibility, than her enemies are willing to attribute to her, in those other acts of the Legislature, whereby powers have been given to *them*, that may be turned to *her* detriment.

If, indeed, in the first days of the Reforma-

tion, during the perilous struggles of those glorious Divines and Martyrs, who laboured to rescue the *Catholic* Church from the despotism and corruptions of the *Roman*, some acts are discoverable, which *appear* to connect our Church immediately with intolerance, it must be remembered, that the long reign of popery had rendered Europe so familiar with the idea of persecution *for the sake of religion*, that it is not to be wondered, that some vestige of this sad corruption of Christianity should have lingered with others, from which those most excellent of men, reared as they had been in all the errors of popery, were not able at once to effect their perfect emancipation. But, from the time when the Church of England became fully released from this antichristian influence, and when she had assumed her true form, adjusted to the sound scriptural principles on which she was founded, what do we find in the language in which she gives her sense of the Christian doctrines, in the spirit which pervades her formularies, or in the temper which has distinguished all her genuine sons and followers, but the truest toleration, and the most Christian Charity?

As to the form of expression, which occurs in one of the Creeds which she inherits from the antient Catholic Church, and which is ob-

jected against her, as inconsistent with the character of toleration which she claims, it should be recollected, that this she holds in common with almost all the Christian world at the present day; and in doing so but continues that which has been maintained in the Christian Church for thirteen hundred years: that this, of course, tends not to claim salvation exclusively for *her own* communion; that, in truth, in substance it shuts out no Christians from the covenanted mercies of God, who acknowledge the divinity and incarnation of Christ and his Redemption; and that when understood as it is intended, and explained by the articles presenting the true doctrine of the Church,—one of which pronounces this creed to be Catholic because it is Scriptural, and another declares the judgment of no Church to be infallible,—it amounts to little more than directing the sixteenth chapter of the Gospel of St. Mark to be read in the Congregation, in which chapter the words of our Lord are contained, which declare that he that believeth not cannot be saved.

The single instance then, deserving consideration, that can, or ever has been, urged against the tolerant spirit of our Church, is this,—that it declares, in common with the primitive Catholic Church, that it holds certain words of our Saviour respecting Salvation

to be true; and that it believes, that, in common with that Church, it has given the true meaning to those words; at the same time acknowledging, that, in that acceptation of the words, it is, as every Church must be, liable to error. This of course is scoffed at by the Church, which *never can be wrong.* But this is the full amount of our Intolerance. And therefore I feel, that I stand on firm ground, in repeating what I have before said, that tolerance is, and is in fact conceded by our adversaries to be, an eminent attribute of our Church.

Again, the Church of England and Ireland presents herself as *Social;* that is, as adapted to the rational and legitimate intercourses and objects of the Social System. Her ministers employ no artificial contrivances to gain an ascendant power over the minds of the multitude, which might be turned at their pleasure against the welfare of the Community. No practices on superstition. No juggling pretences to miracles. No spiritual right assumed, to discover all the secrets of their people, joined to the religious obligation superseding all the ties of sworn allegiance, to conceal from all mankind, the secrets so intrusted, even though they affect the safety of the Sovereign, and the existence of the State. No dependence upon any human authority, either in temporals or

spirituals, that is not itself dependent on the supreme authority of the State. No principles of a dissocial nature, that can tend to give to the Church a *distinct* interest from that of the community at large. No abstraction, by means of a forced celibacy, or monastic aggregation, from the natural ties of allegiance and mutual charity, withdrawing the entire body of the Clergy from those influences, which bind men together as good subjects of the Commonwealth. No secret mysterious connexion forming an extended ecclesiastical Corporation, pervading different and distant Countries, and enabling it to carry on its schemes of separate aggrandizement, by a confederation unknown, and too generally hostile, to the State. No secrets, in short; no craft of any kind in our religion, either as affecting the State or the Individual. The Bible contains our secrets. We put into the hands of all, the very Book, from which we derive the religion which we teach; and we enable, and indeed require all to judge for themselves, whether what we teach be the doctrine of the revealed word of God. Whether then the principles, which regulate the social intercourses of our ecclesiastical system, be such as to promote or to disturb, the harmony of social order, it is in the power of all men to decide.

Again, the Church of England and Ireland

presents herself as *Loyal*. Her allegiance is undivided. No nice distinctions, in the submission due to the Sovereign, as to *spirituals* and *temporals*. No difficulty in discovering the fine and shifting line, that is to mark the boundary between the obedience to be given to the Prince, and that which is to be reserved for some other Power. Our Church is explicit in declaring, that the Christian religion allows the Prince to "rule all estates and degrees committed to his charge by God, whether they be ecclesiastical or temporal, and to restrain with the civil sword the stubborn and evil doers" of all descriptions, whether they be of a spiritual, or of a merely temporal character. Desirous to lay the foundation deep of cheerful submission to the Sovereign, the Magistrates, and the Laws, she is studious to imprint on early Childhood the valuable lesson "to honour and obey the King, and all that are put in authority under him; to submit themselves to all their Governors, to order themselves lowly and reverently to all their betters, and to do their duty in that state of life unto which it shall please God to call them." This lesson, which is early taught and late inculcated, is also without reserve or qualification: the spirit of obedience to the King, and to the Laws, *universally* enforced, without reference to any ecclesiastical authority, to learn in what cases that obedience may be conscientiously withheld.

Again, in the daily service of our Church, prayers are offered up for the welfare of the Sovereign, both temporal and eternal, whilst "we and all his subjects" are reminded of our obligation "faithfully to serve, honour, and humbly obey him;" and the Monarch at the same time kept in recollection, that his authority is derived from the King of Kings, and is given to him for the great ends of promoting the glory of God, and the happiness of his people: and, that he may employ his authority for these ends, is made the subject of a special petition from his people.

Again, it must be particularly observed, that our Church does not regulate her petitions for her Civil rulers by caprice, by worldly policy, or by party zeal; but by the word of God. Whatever be *their* character or conduct, *her's* is uniformly dutiful, and loyal; making prayers and supplications for those in authority, that "we may lead peaceable lives in all godliness and honesty." She points out to men of the world, their path of duty; and then leaves them to manage it without her interference. She meddles not with the politics of the day, nor troubles herself about abstract questions respecting civil compacts between the prince and the people, nor about their respective privileges under the various forms of Government

that may exist, but satisfies herself with the simple facts as they rest upon Apostolic authority, that "the powers that be are ordained of God," and that subjects are to "submit themselves to every ordinance of Man for the Lord's sake."

Does this justify the vulgar objection, that the established Church is a political engine, and that her Clergy are the hired mercenaries of the State? Inculcating, as they do, the principles of loyalty on the grounds of Scripture, they render an essential service not more to the Government than to the Community at large, and were they even of no other use, they would in this be a public blessing.

Should they, indeed, although in defence of what was right, follow the unhappy example which has been set them, of using their Ministerial influence to fan the flame of political animosity: should the sanctity of the Pulpit be turned into the faction of the forum; should the walls of the Church be made to echo the jarring notes of bigotry, prejudice, and strife, instead of resounding with "Glory to God in the highest, and on earth peace, Good will towards men;"—then, it must be admitted, they would lose sight of their sacred character, and perform an odious part, one neither required by the State, nor sanctioned by the Church.

Again, the Church of England and Ireland presents herself as *Protestant*. This is her primary character, and as such she has been adopted and established by the state. Maintaining the paramount authority of Scripture, the right of private judgment, and the supremacy of the Sovereign, in opposition to the Church of Rome, which held and imposed tenets in direct contradiction to all; she abjured the fundamental errors and despotism of that Church, and with them the multiplied corruptions and abuses which these had engendered; and so having purified herself from the accumulated dross of superstition, and having restored religion to its true and ancient Catholic standard, she became worthy of adoption by a government that had resolved to break the chain of spiritual slavery, and to give the blessings of a pure religion to a free and enlightened people. The protestant principle, then, being the covenanted ground of the establishment of our Church, so must that principle remain the unbroken condition of her tenure.

We are told, indeed, that the Established Church of England and Ireland differs but little, at the present day, from the Church of Rome. If that be the case, and if it be also true that the religion and principles of the Church of Rome are immutable, then must our Church have changed her character, then

is she no longer the true guardian of religious freedom and Scripture truth; she has violated the conditions, upon which she was incorporated with the free constitution of this Realm; and she is no longer entitled to hold the place which has been allotted to her in conjunction with the State.

But thanks be to the great Ruler of all, there never was a time, and especially in this part of the Empire, in which so degrading an imputation was *less* deserved. The true spirit of the Protestant religion is alive, progressive, and, with the blessing of God, will be triumphant. The numerical mass of a population shut out from the light of the revealed word of God, may for a time present obstacles to this consummation, but the clouds of ignorance and gross error will pass away, and the Sun of righteousness and truth will spread his beams throughout the land.

But what are the respects, in which our Church agrees with the Church of Rome? In truth they have scarcely a single point of agreement in any thing that can be justly deemed essential to Religion. Nor do they, at this moment, notwithstanding the interested and unfounded declaration of some who have an object in the misrepresentation, approach nearer

to accordance, than they did at the time of their original separation.

It is admitted, on all hands, that the two Churches differ, as they have at all times differed, as to the rule of faith: the one building solely on the Scripture of God, the other adding to it, or rather erecting above it, the tradition of man; thereby rendering the word of God of none effect; and overlaying the true foundation with the rubbish and superstition of ages: so that, in reality, the older the religion of tradition becomes, the farther it must be removed from the truth, and the more real religion must be buried and hid from the view.

Again, they differ, as they have at all times differed, as to the mode of discovering what true religion is: the one forbidding the exercise of the judgment of the individual, as it would forbid a *crime*, and requiring him to regulate his religious principles by a judgment different from his own; and the other referring each man to his own judgment and his own conscience, honestly directed to the best means of instruction in the word of life, and thereby attaching to each his own responsibility: so that, by the one, religion is made (as it truly is) a matter between man and his God; and, by the other, it is rendered a concern between man and his Church, insomuch that all responsibility is trans-

ferred, and all blame removed. Lest this, which in its own nature appears so monstrous, should be considered as an unfair deduction from the general principle, I must, though I have occupied so large a portion of your time already, request your attention to an authorised exposition on this subject, which is at this day inculcated upon every Roman Catholic Student in Divinity, as enabling him to convey to the people, entrusted to his pastoral care, a just view of the relative condition of the Protestant, and the Catholic (as they choose to call him) at the day of judgment.

"The *Protestant*, when called to judgment, will appear provided with no other aid than *his own private judgment*, with which he searched the Scriptures, and proved the articles of his creed: although he had been again and again warned, that he acted so *at his own great peril*, and that a *more severe account* would be required of him *for this very thing*. What follower of the Reformed churches, reflecting on this, and considering how natural it is for man, from the frailty of his nature, to err, but must look with terror to the sentence of his *most severe judge!*—But how different would be the lot of the *Catholic*, even though (could it possibly be believed) he should have fallen into error in obeying the decrees of the Church concerning doctrine? Might he not thus fearlessly

reply to his Supreme Judge, interrogating him concerning this?—'O Lord, if that be an error which we have followed, THOU, THYSELF, HAST DECEIVED US by thy command, so clearly and repeatedly announced, that we should hear the church AS THYSELF, unless we wished to have our part with the heathen.' (Matt. xviii. and Luke x.) 'THOU, THYSELF, HAST DECEIVED US, by thy Apostles, by the Pastors and Doctors which thou hadst appointed in thy church for the perfecting of the saints, and the edifying of thy body' (Eph. iv.) 'who commanded us so to act.' 'THOU, THYSELF, HAST DECEIVED US through *thy Church*, called by Paul *the pillar and ground of truth*.'—(1 Tim. iii.) 'For that church, by its decrees, always exacted from its children a firm assent in heart and soul, under the denunciations *in thy name* of an *eternal curse* against those who rebelliously refused to obey its authority. Conscious, alas! of our ignorance in divine things, and of the infirmity of human reason, how could we have trusted to ourselves in searching the Scriptures, and have despised an authority so pre-eminent? *Fearlessly, we say, O Lord, if it be an error which we have followed*, THOU, THYSELF, HAST DECEIVED US, AND WE STAND EXCUSED'!!—Removing every prejudice of birth, education, fortune, and all other human circumstances, let the reader, supposing himself to be summoned to-morrow before *the tribunal of God*, to render an account of his

faith and motives, conclude what part prudence should suggest to him to act, whether that of the *Protestant*, or of the *Catholic*."

On this I shall offer no comment, but be it remembered, that this is the *authorised decision of the Romish Church in Ireland, at this day*, on the comparative responsibility, and respective doctrines, of the Protestant and the Roman Catholic, at the last awful judgment. Thus then, we see, that the two Churches differ, as they have always differed, in the important point of the formation of their respective systems of faith, and of their respective rules of duty. They not only differ from each other, but are directly opposed, both as to the *foundation* on which they build, and as to the *principle* by which they erect the structure: as to the *standard* of their practice, and the *ground* of their responsibility.

But, as to the special *doctrines* which they hold, it has been said, *insidiously* by some, and *inconsiderately* by others, that the two Churches agree in essentials: that *our* Creeds being held by the Church of Rome, the difference lies only in some additional matter not equally important; that a common vital principle is to be found in both; and that the true distinction consists in that Church believing what we call *too much*.

This is a strange view of the case, and one certainly not unnatural in those, who have an interest in such representation, and who employ it for the purpose of deception. But, with those who have no such design, it can only be the result of great simplicity of mind, or strange perversity of judgment; or possibly of intimidation, which, in these days of violence and menace, has no mean influence upon opinion in this distracted land. For, surely, it requires no great stretch of thought to discover, that the additional matters of belief may be such, as to do away the great fundamental points, contained in the formularies common to both, so as to become not an *addition* but a *subversion*: insomuch that, in truth, it might happen, that they who believe (as it is called) *too much*, and they who believe *too little*, might come to meet in the substantial acknowledgment of the same defective creed, and in the same wide departure from the true creed of the Gospel, which is eminently the fact in the case before us.

This, however, is a topic, on which I am unwilling to dwell, and fortunately it is not necessary. You, my Reverend Brethren, who are acquainted with the additional articles of the Creed of Pius, are well aware how little they leave standing of the antient fabric of the Catholic faith. You also equally well know, that, between the leading doctrines of the Churches of

England and Rome, there is but little resemblance; and in most of them direct opposition in their true spirit and application, even where they may appear to approach in words. In truth, if this were not so, if the difference between the two religions were not radical and vital, our Reformers, instead of entitling themselves to the praise and admiration of all who revere true religion, would have incurred an awful responsibility by their total separation from the Romish Communion. And the Clergy of the present day would be unjustified, in following the example of their great precursors, by continuing their manly protest, and vigorous opposition, against the numerous and deadly errors of that Communion.

What has been done, and is doing, by many of your body, to guard your flocks against the contamination of those errors, fully proves that you have not read the Gospel under such tuition; that you have not forgotten the condition, on which your order was first adopted by the State, any more than the engagements of your Ordination vows, and the duty which you owe to the great invisible Head of the Christian Church. Yes, with perfect truth and satisfaction I can affirm, that, with very few exceptions indeed, and those of little note, the Church of England and Ireland does now, as it did in early days, present itself as strictly *Protestant*.

I cannot, although much more remains to be said, encroach longer upon your time, on which I have already so unreasonably trespassed. I shall therefore only add, that I trust it will appear to every candid mind, that our Church, possessing the characters and qualifications which I have described, is, on her own account, as well as for the benefits which by these she extends to the Community, entitled to the position in which she has been placed by the State.

Established as she is on the foundation of the Apostles and Prophets, Jesus Christ himself being the chief corner stone: providing, as far as human prudence can, for a succession of faithful men to inculcate the great mystery of Godliness and the true value of the Christian virtues upon the people: duly administering the Sacraments of Christ's institution: propounding scriptural articles of faith, and supplying devotional formularies of public worship: exhibiting a Catholic spirit towards all other Christian Churches, and a charitable feeling for her own members: setting the example of toleration, of adaptation to the wants and circumstances of society, of eminent loyalty and of sound Protestantism, what can the State require for the purpose of utility, what can Religion demand for the propagation of its influence, if the members of a Church, so circumstanced, will but do

their duty, *faithfully*, in the important station, in which it has pleased Providence to place them?

And may Almighty God, who has appointed the divers Orders of his Church, so replenish those who fill the same with the truth of his doctrine, and so endue them with innocency of life, that they may serve before him in their sacred ministry, to the glory of his great name, and to the salvation of the Souls entrusted to their charge, through Jesus Christ our Lord. Amen.

The subject matter of this charge being of weighty concern, it was intended to accompany its publication with an Appendix, containing notes and documents, and supplying authorities, in support and explanation of the results, to which the limits prescribed to such a Discourse necessarily confined the writer. For this purpose the Charge itself, although printed a short while after the delivery, was withheld from the public. But the matter of the Appendix having grown under the hands of the writer to an extent on which he had not calculated; and the daily and urgent demands of duty having interfered imperatively with the application of time necessary for its proper execution; some part also of the intended matter being of a description, which, as depending upon events even now in actual progress, does not yet admit a full and satisfactory developement;—he has been led to adopt the plan of sending into circulation, without further delay, the Charge itself as it was originally delivered, and postponing the Appendix for a new edition. In the mean time, the author thinks it right to state, that in the observations made at p. 45—47, upon the character of *Loyalty*, which he claims for the Church of England and Ireland, he has not scrupled to avail himself of the well chosen topics presented to him upon this subject, by Mr. Custance's Survey of the Reformation.

A REPLY

BY

J. K. L.

TO

THE LATE CHARGE

OF THE

MOST REV. DOCTOR MAGEE,

PROTESTANT ARCHBISHOP OF DUBLIN,

SUBMITTED,

MOST RESPECTFULLY, TO THOSE TO WHOM

THE ABOVE CHARGE WAS ADDRESSED.

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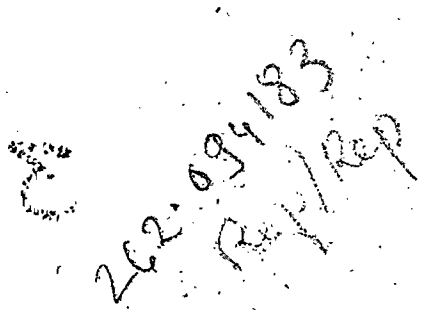

A REPLY,

&c. &c.

MEN BRETHREN,

A CHARGE, breathing discord and proclaiming dissension, has been lately addressed to you, by the most dignified Ecclesiastic of the Established Church in your province. This Prelate has assured you, that you are competent to judge all things. I think differently; but, I am satisfied that you are competent to decide upon the merits of his Charge, and it is upon those merits that I appeal to your judgment. For many of you, individually, I entertain sentiments of the highest respect; to you all I am bound as a fellow-christian, by ties of charity—ties, which never have been, and I hope never will be, severed. When, therefore, in the sequel of the observations which I am about to address to you, the vices of heresy and schism are reproved, and the conduct of some furious men treated with severity—bear in mind, I beseech you, the following sentiments of St. Augustin, addressed by him to a numerous portion, clergy and people, of the Donatists,—sentiments, which in your regard, I fully and unequivocally adopt.

"The Apostle Paul," writes this Holy Father, in his 162d letter, has said, "an heretical man, after one reproof, avoid; knowing, that he who is of this sort is subverted and sins, and is self-condemned; but they who defend, not with an obstinate animosity, their own opinion though false and perverse, especially if it be an opinion, which they did not originate in the assurance of their own presumption, but which they received from their parents, seduced and fallen into error, and who, seeking the truth with a cautious solicitude, are ready on finding it to be corrected, they are not by any means to be reputed among heretics. Unless I believed you to be such, perhaps I should not address any letters to you." Thus far proceeds this learned and charitable Bishop, who, separating the well meaning from the perverse amongst those who were not of his communion, discusses with an energy and freedom quite apostolical, the causes of that separation which he deplored. This spirit of charity and zeal excited him to exclaim in another letter upon the same subject, *non debet tot tantorumque populorum salutem furiosus error hominum impedire paucorum.* "The furious error of a few men should not be suffered to prevent the salvation of so many,—of so numerous a people. Ep. 61. ad Dulcitium." Thus Augustin, whilst he looks with an eye of charity to the multitudes seduced into the ways of error, expresses himself with peculiar energy when his thoughts are directed to the authors, the fomentors, the preachers of religious dissension.

I wish earnestly, that I were enabled, in addressing you, to put on the spirit of this great man, but if at any time, the oppression and injustice under which, as an Irish Catholic, I labour, extort from me strong expressions, they are to be received, as in truth they are directed,

not against the multitude of my Protestant fellow-subjects and fellow-christians, but against the vices or insanity of a few furious men;—men who either have originated and established in these countries religious error with its attendants, schisms and dissensions; or who still labour to perpetuate division, to strengthen discord, and prevent, by every means in their power, not only the peace and happiness of Ireland, but also the salvation of a numerous and most deserving people.

The principal object, however, which at present I have in view, is not to examine or detail the causes or effects of existing divisions—divisions which are, perhaps, too old and too inveterate to be healed: No, my object is to repel injury, not to inflict wounds—to reply to an impassioned philippic, which the voice of the country must condemn, and to defend an injured community from the unprovoked and now reiterated attacks of a Christian Bishop, who claims to discharge an embassy for Christ.

I had hoped that this most Reverend Prelate, embarrassed as he was by the occurrences in which he has been involved since his elevation to the See of Dublin, would have said with the Psalmist, in the bitterness of his soul, "It is good for me (O Lord) that thou hast humbled me, that I may learn the ways of thy justice," and that in the silence of retirement he would have labored to efface from his literary character and public life, those stains which a forgetfulness of his own infirmity, and an unwarrantable disrespect for other men, had imprinted on them. But whether it be a peculiarity of understanding, or a pride not be subdued, which animates him, he appears resolved still to exhibit

himself from his high station as a rallying point to the insane bigots who infest this country, and as a subject of censure to those who, were he less obtruding, would willingly pass him by unheeded. But the sympathies which the world generally bestows, even upon well merited distress, can no longer be collected about his Grace; and what the public should deplore is, (to recur to the language of Augustin,) that by him and a few other restless enthusiasts, the salvation of many is endangered, and the peace and comfort of society incessantly disturbed. To men of this description "who *will*, not to know the truth, that they might act rightly," I do not address myself; my appeal is directed principally to those who, however prepossessed by early habits of thought, or influenced by alienated feelings, are yet inclined to listen to the accused pleading in his own defence, and disposed to judge impartially between man and man.

To analyse the entire Charge of the Most Reverend Archbishop, would be a tedious and a useless labor,—irrelevant to my purpose, and uninteresting to those whom I address. I shall therefore select, with as much accuracy as I can, out of the mass of words in which they are involved, those positions of his Grace which impugn the religion, or social principles of Catholics, and apply to them such observations as will occur to me, and as they seem to merit.

But, before I proceed to this ungrateful task, it may be useful, if not necessary, to premise some general reflections upon that Church Authority which it is the scope and purpose of this Archbishop to decry, and upon that special right of individuals to judge definitely in all matters of

they all have a creed, or symbolic books, or articles of religion, or a confession of faith, which the parents and pastors explain and inculcate, and which the Church, or Kirk, or Conventicle, or Meeting, enforces by the exercise of authority and the infliction of censure, even to the expulsion of the refractory or unbeliever, from the body to which he had till then belonged.

This is the authority, sacred, divine, and indispensable, which all innovators, whilst they seek to avail themselves of its advantages, yet labour incessantly to decry. They do so with a view to palliate their own original sin of separation. They became Sectaries only when they rebelled against this authority. When stricken by its censures, and writhing under such just punishment of their own revolt, they indeed blasphemed the hand that smote them, but even whilst they did so, they endeavoured by human efforts to erect a Church or Churches, and to invest them with an authority similar to that which they had just rejected! They could not, 'tis true, erect their Church or Churches on the foundation of the Apostles and Prophets, the chief corner stone being Jesus Christ, for from this foundation they had separated themselves; but, like the followers of Jeroboam, having deserted Sion, they sought to build a conventicle on some mountain of Gerazim!

These Sectaries all exclaim "will you hear men rather than God, human errors rather than the Sacred Scriptures?" These appeals, however, are like the cries of a felon, who caught in the act of stealing, would have the ministers of justice to believe that he had a just claim to the property which he had stolen, and presumes even to call on the right owner to produces his title deeds before his right would be recognized.

These Sectaries always affect to forget that the law of the Gospel is *a real law* given by God to man, as a rule of conduct; that when he gave the law he also instituted Ministers to teach it and judges to administer it; vesting them with power to enforce the authority confided to them by means of censures, and engaging to assist them in their teaching and judging, all days, even to the end of the world;—that the judge is (to use a phrase of the civil law) *lex loquens*, "the law speaking," and the law itself *Prætor non loquens*, "the judge not speaking," The Sectaries affect to forget all this, and whilst each of them distorts or mangles the law to suit his own caprice, or favor his own pride or passion, he contemns the judge, and exclaims, "to the law and to the testimony,—to the law and to the testimony."

In the long catalogue of human errors there is not perhaps one more glaringly absurd, than that which substitutes the private judgment of every individual Christian for the authority of the Church, in deciding religious controversies; it has no warrant in Scripture; it is opposed to the plainest maxims of reason, to the legal institutions of every civilized society; it is, itself, the very essence of all division and separation; and, as far as it extends, produces the same disorganization in the Church of God, as a revolution does in a Commonwealth.

These Sectaries, to palliate their defection or revolt, say, "Reason is the judge of Controversy."

Supposing that Reason, which in its exercise is as various as are the faces of men, were capable of deciding controversy; who is bound to submit in such matters to the reason of any man or number of men? If the Pastors of the Church had not their commission and promise of support from Christ, we might respect their opinion, but would we

always bow to their judgment? Moreover, of what account is it that reason in any person is clear or strong, whereas, whatever it is, it is not the judge appointed by Christ. Religion is his free and gracious institution; it was *He* and not *we* who "gave some Pastors and Doctors for the perfecting of the Saints, for the works of the ministry, for the building up of the body of Christ, (the Church) until we all meet into the unity of faith, and of the knowledge of the Son of God, unto a perfect man—that henceforth we be no more children tossed to and fro, and carried about by every wind of doctrine, by the wickedness of men, by cunning craftiness, by which they lie in wait to deceive. Eph. c. 4, 11, 14." These Pastors and Doctors then, and not Reason, were appointed to interpret the law of Christ, and administer it in his kingdom.

Again, it is said, the Scripture itself can decide controversies. This is another error, more gross, if possible, than the foregoing—for if Scripture could decide controversy, a dumb letter could speak, and a folio Bible give judgment;—the leaves of books could cite witnesses, hear evidence, acquit innocence, and condemn guilt. If this absurdity were to be endured, then each and every Sect which has plundered the Catholic Church of the Scriptures, might compare notes, and agree upon some one error to be professed by them all; or, as truth is one and indivisible, they would all discover it, and we would again return to the Apostolic times, when all the believers had but one heart, one mind, and one faith, as they had but one Lord and one Baptism.

Again, they say, that the Holy Ghost, if properly invoked, decides for each person upon all doubts. This

opinion is not only absurd but exceedingly impious, for it supposes that the Holy Ghost abides outside that Church which he was sent to enlighten, direct, enrich, and govern, and that he diffuses his light and grace to men who blaspheme or venerate, as their judgment dictates, the same truth. That He, who is charity itself, dwells with heresy, which is impiety; that He, who is the uniting love of the Father and the Son, teaches the most discordant opinions; that He, who is the God of peace and unity, warrants by his inspiration, strife and discord; that he taught Calvin to condemn what he instructed Luther to dogmatize, and inspired Luther to curse what he had taught Calvin and Zuinglius to preach; that he instructed Cranmer to adopt half a dozen different formularies of faith, and Latimer to disregard both truth and duty. The unction of the Spirit teaches interiorly, it is true, the children of the Church, not to decide on Controversy, (which the Pastors whom he has placed to rule her are commissioned to do) but he teaches them those heavenly truths which he conceals often from the prudent and the wise, and reveals to the simple and the poor—that sublime knowledge of the Saints, known only to the perfect, which, whilst it increases the desire of heaven, is itself a foretaste of that bliss to be enjoyed by those who will see God face to face, and know him even as we are known to him.

But the truth is, that in matters of fact which depend only on God revealing his will, it is not on a silly hypothesis, nor on human reason, but on a divinely established authority that the mind of man ought or can repose. "Blessed are you, says Christ, Math. 26, 17, Simon, son of Jona, because flesh and blood hath not revealed it to you, but my Father who is in heaven, and I say unto you, that thou art a rock, and on this rock I will build my Church,

and the gates of hell shall not prevail against her." Here Reason is excluded, the confession of Christ's Divinity is attributed to the special inspiration of God, and an exercise of the same divine power, fixes for ever, the destiny of the Church. The whole constitution of it is divine, and, as Paul observes, 2 Cor. 10, 4, *the arms of her warfare are not carnal*, more than the foundation on which she rests, but spiritual, *powerful of God to the pulling down of strong holds, destroying counsels and every height lifting itself against the knowledge of God, and bringing into captivity every understanding to the obedience of Christ*, or of the law which he promulged." Thus we see how little human wisdom is permitted to interfere with an institution positive in its nature, divine in its origin, and having its authority vested in those who were commissioned to propagate and watch over it in this world. "The weakness of Reason," says St. Augustin, Lib. de mor. Eccl. cap. 2, "may appear from this, that whenever it is adduced, it seeks for some authority wherewith it may be confirmed," so incompetent is it to decide upon religious controversy, if not united to an authority established by God and enlightened by his Spirit.

So with the Scriptures themselves, in which we are told, and a sad experience but too well verifies what is so told us, that there "are many things hard to be understood, which the ignorant and unsteady wrest to their own perdition, 2 Pet. ch. 3. v. 16." In place of deciding controversies in religion, Augustin, Lib. 7, de Gen. ad lit. ch. 9, judiciously observes, "do not all the heretics read the Catholic Scriptures, nor are they heretics for any other reason than that not understanding them rightly, they obstinately assert their own opinions contrary to their (the Scriptures) truth." So Vincent of Lerins, in his Charge

cap. 2. gives a melancholy picture of the manner in which the heretics in his time abused the Sacred Scriptures, and wrested them each to support his own opinion.

In those days, as in our own, Sectaries could not agree even as to what books were inspired or what were not; Tertullian in his day seems to describe the contentions which once prevailed in the 16th century on this subject, between the Sectaries in Germany, Geneva, and England, an epitome of which is now observable amongst the members of the Bible Society. He says, " this heresy does not receive certain scriptures, and if it receives some, it does not admit them entire; it fits them by additions and subtractions to its own purpose; and if it admit any entire, yet, inventing divers expositions, it changes them; so an adulterated meaning vitiates them as much as the corrupted text, *Corruptor Stylus.*" The just conclusion which he draws is, therefore, " that in disputes, the appeal should not be made to the Scriptures, nor the contest made to depend on them."

Saint Augustin also observes, Lib. 1, Contra Crescon. cap. 33, that it is only by the Church we know what is the sense of Scripture, or what is not; his words are, " the truth of the Scriptures is held by us, or we possess the true meaning of them when we do that which is approved of in the whole Church, which Church the authority of the Scriptures themselves commends,"—so far removed was he from the opinion of those who would undertake to determine religious doubts, by the very book, from the misunderstanding of which, they all arise. That it is from such misunderstanding of the Sacred Scriptures all heresies arise, the Holy Doctor, Tract 18, in Johan. cap. 5. expressly asserts, in the following words: " Heresies have arisen, and certain perverse doctrines, ensnaring souls, and

precipitating them into the abyss, have been broached, only when the good Scriptures have been badly understood, and when that which was badly understood was rashly and boldly asserted."

The numerous and discordant Sects which, since the 16th centnry, have sprung up in the midst of the Sclavonic nations, which, as Leibnitz observes, then separated themselves from the Latin Church and name, afford ample evidence of the insufficiency of human reason, or of the Scriptures interpreted by private judgment, to preserve unity in the body of Christ, as also of the absolute necessity of a controuling and supreme Church authority, to preserve such unity and check the spirit of religious innovation.

These Sectaries, like a discomfited army, having been driven from one position to another,—from Reason to the Scriptures, from the Scriptures to the Scriptures interpreted by the judgment of each individual—from the Scriptures so interpreted, to the same interpreted by the interior unction or taste of the Spirit; driven, in fact, from absurdity to absurdity, with the mark of schism, like that of Cain, imprinted on their forehead—without possessing one Church or one Altar throughout the universe, connected in any way with those which were Catholic and Apostolic; they, in the delirium of their revolt, sought to break down the Church herself into an immense mass of confused and jarring elements—preferring a place in this chaos, to a recognition of their errors, and to the obtaining, by a dutiful submission, a place in that house of peace and unity, from which, in a moment of passion, they had departed. They said that the Church of God, the Kingdom of the Redemer, the body of Christ, consisted of every sect and every heresy which invoked the name of the Lord. When

they first broached this monstrous opinion, it was said to them," is the Church then so composed, the kingdom of Christ, of whom David said, ps. 73, " and his house is *in peace?*" Are those contending sectaries the " men of good will" to whom the angels announced at Bethlehem, Luc. 2, 14, that Christ came to give *peace?* Are they who contend one with the other even to excommunication, that strong body, which drawing its strength from its union, is called by Christ himself *a rock?* Are these sectaries that one fold under one pastor, spoken of by our Lord, John 10, 16, where all hear the same voice, where all feed on the same pasture, where altar is not erected against altar, but where all are one body who partake of the same bread? Is it possible, that he who came to gather together in ONE the children of God who were dispersed, John 17, 11, should assemble them only to contend with one another? Is it for an assemblage of discordant sects that Christ prayed, saying, John 17, " Holy Father keep them in thy name whom thou has given to me, that they may be ONE as you and I are one?" Was it for such assemblage he invoked the Spirit of peace, saying to his Apostles, John 20, 21, 22, " Peace be to you: as my Father sent me, so I send you, and having said this, he breathed on them, saying, receive ye the Holy Ghost?"

It was inquired of the Sectaries, whether contending sects were contemplated by St. Paul, when he so graphically described the unity of the church in the following passage, 1 Cor. 12, 12, " As the body is ONE and hath many members, but all the members of the body, though they be many, yet are *one* body: *so also* Christ: for in *one* spirit we are all baptized into ONE?" Is this unity, this indivisible conjunction of the members with each other and with the head verified in the tumultuary and contradictory congregations of sects and heresies? Can they be the persons

addressed by the Apostle, Eph: 4, 3, saying, "be careful to preserve the unity of spirit in the bond of peace;" for 1 Cor. 12, 21, "the eye cannot say to the hand, I want not your labour, nor again, the hand to the feet you are not necessary for me;" as if he said, whosoever thinks that he needs not the assistance of his brethren in the church, but can himself by his own powers, act and think independant of them, he cannot be a member of Christ's body, nor receive life from the spirit of Christ—whereas he breaks the bond of peace which links together all the members or brethren. "*One* body and *one* spirit," he says again, writing to the Ephesians, "as you are called in *one* hope," and to the Hebrews, ch. 10, 24, let us consider one another to provoke unto charity and good works, not forsaking our assembly as some are accustomed. ONE GOD he exclaims, ONE FAITH, ONE BAPTISM; and 1 Cor. 12, 15, "and God hath tempered the body, that there might be no schism in the body, but the members mutually careful one for the other," because, as he says to the Hebrews, 10, 39, "we are not the sons of withdrawing (or of separating ourselves) unto perdition."

These Sectaries were told, that by congregating Schismatics and Heretics within the Church of God, they were subverting the faith and morality of the Christian religion. The crime of schism was exhibited to them as it had been painted by St. Paul, Phil. 3, 2, "beware of dogs, beware of evil workers, beware of the *concision*" the cutting up—the separation of the body, which is the work of the evil doers—of the dogs who devour the body of Christ, which is the Church—of those as Jude observes, 19 v. "who separate themselves, sensual men, having not the spirit." The Sectaries were told, that to admit such persons within the Church, was to repeal the decree of God, which

excluded schisms and heresies, as works of the flesh, from his kingdom.

The authority of the early fathers on this subject was exhibited to them; of Augustin, Ep. 109 ad Felic: who says, "God commanded to us union; to himself he reserved separation." "Do they," the Schismatics, says St. Cyprian, de Unit. Eccles: "do they imagine that Christ is with them when they are gathered together outside the Church;" from such persons though they were killed in the confession of his (Christ's) name, that stain is not washed away, even by their blood, whereas the great and unpardonable sin of discord, will not be expiated, even by the suffering of death. "He cannot be a martyr, who is not in the Church." "The sacrilege of schism, says Augustin, Lib. 1, contra Ep. Parm: cap. 3, which surpasses all crimes, &c." and again, contra Donat: Lib. 1, ch. 8, "those whom they (the Donatists) baptize, they heal of the wound of idolatry or infidelity, but they strike them with the *deeper* wound of schism"—they have not the charity of God, who do not love the unity of the Church, Lib. 3, cap. 16.

The Sectaries, appalled at the contemplation of those truths, and of their own crimes, sought for refuge in a new theory. They said to the Catholics, you upbraid us unjustly with a desire of dissolving the body of Christ, and including within the Church, all sects and heresies; we seek only to justify those who believe in the divinity of Christ, we acknowledge that such as do not hold this tenet, are the sons of perdition.

Vain subterfuge, replied the Catholic, by which you seek to escape the guilt of schism, and the condemnation

of it by the Lord and his apostle. It is not of this error or that blasphemy, of this schism or that other revolt, that we have been treating, we have directed your attention to the guilt of breaking unity, a crime, as Augustin observes, which no necessity can justify. We charged you with separating the members of the body of Christ, of setting up altar against altar, of violating charity, which is the bond of perfection. We charged you with *separating yourselves*, with disobeying the Church which God commanded you to hear, with despising the ministry, and through them despising Christ and the Father who sent him. You speak of the divinity of our Lord—of essential and not essential truths; we speak of unity and peace; these you have violated, whilst every page of the Scriptures to which you appeal commands them, and commands them as the primary, the essential virtues to be observed by every child of God. Where do you find from the beginning, either in the Revelation given to us, or in the Canons, Decrees, or conduct of our Fathers, any such distinction as you would now introduce? Where is it written that one doctrine is essential and that another is not? By what authority have you drawn a line of demarcation between one object of faith and another, or why do you presume by your judgment, weak and fallible as it is, to prescribe articles of faith to the judgment of another, or to say to him "believe thus, or thou shalt be condemned." Has not Peter affirmed the saying of an ancient prophet, "whosoever will call upon the name of the Lord shall be saved," and Paul repeated it in his letters to the Romans? and if since the handwriting of the decree which was against us was taken down and fastened to the cross, any one should understand that saying in its utmost latitude, by what authority can you convince him of error, or oblige him to believe as

you do yourself? When the Redeemer says, "this is eternal life, that they know you, the only true God, and him whom thou hast sent, Jesus Christ," by what authority do you compel the judgment of any person to believe more than that there is a God, who will reward those who love him, and a Mediator between him and men, the man Christ Jesus? If Calvin, who almost lighted the pile which burned Servetus for following in his own footsteps, interpreted, as he did, the words of Christ, "I and the Father are one," to signify only a moral union of will and love between the Father and Son, and blamed the Nicene Fathers for understanding them otherwise;—if many of Calvin's followers understand the words of our Lord, "before Abraham was, I am" as a metaphorical expression, having reference to the decree of God, why, for what cause, or by what authority, do you condemn the Arian or Socinian or Unitarian, because they understand those texts and such others as prove the eternity and divinity of the Son of God, in a sense different from what you assign them? Are the Socinians not men of sound judgment? Have they not, according to your rule, a right, nay, are they not obliged to follow the dictate of that judgment in preference to all authority on earth? and yet you exclude them from the kingdom of God, because in the exercise of their judgment, or in what you consider the discharge of their duty, they differ in opinion from yourself. Your opinion of them, if judged of by your own principles, is unjust, uncharitable, unreasonable: you have divested yourself of all right to repute any man an heretic, to censure any man for being a schismatic; you have erased heresy and schism from the catalogue of vices, and said with the false prophet, "peace, peace," when there was no peace.

It is not so that we Catholics have learned Christ. With

us it is as the law and the prophets; it is *essential* in the first degree with us, that we love God, which the heretic, who separates himself, and resists the authority founded by Christ, does not; and that we love the brotherhood, which the schismatic does not; who, as Augustin observes, by an impious concision, or rending, breaks the bond of union, for the doing of which, there never can be a just necessity, *præscindendæ unitatis nulla potest esse justa necessitas.* It is this heresy, which consists not in the degree of error, but in a man choosing a religion or a religious opinion different from that which is held and professed by the Church, and maintaining such religion or opinion obstinately, and in defiance of her authority;—it is this heresy which is condemned in the Sacred Scriptures, and which the Church has always condemned: one error against faith may be more impious than another, but whatever its quality or malice may be, it is heresy to uphold it with obstinacy, as it is schism to seperate from the unity of the Church for whatsoever cause.

And, upon this important subject, let us listen for a moment, not to the voice of our own passions, or speculations, or interests, but let us hear the voice of the Church herself, expressed by those pastors and doctors given by God for the building up of the body of Christ, that instructed by them we may all meet in the unity of faith—in charity. If they all consider under the name of "the Church," not a congregation of all imaginable sects, but *one* only assembly or communion of Christians, outside of which, and not within, are placed all heretics and schismatics, then it will appear whether the new system of congregating heretics within the Church, a system more visionary than those of Malebranche or Berkely in Metaphysics, is to be admitted by Christians interested about their eternal Salvation.

And first, St. Irenæus, a man of the apostolic times, Lib. 3, cap. 3 & 4, adv. Her. after saying that the truth, which it is easy to find in the Church, is not to be sought for in the sects of heretics, and after stating that Marcion, who often came to the Church, was at length ejected from it, then mentions, that of this Church, the much calumniated Church of Rome was the centre, to which on account of her chief principality it was necessary that every Church, that is the faithful every where dispersed, should come in accord, *omnem convenire ecclesiam.* And why? not only on account of her preeminence, but also as the depositary of the apostolic tradition or doctrine, for as he observes, Lib. 1, cap. 10, though in the world there are different tongues or languages, yet the virtue or truth of the tradition or doctrine is one and the same, nor do the Churches founded in Germany, nor in the West, nor the East, in Egypt, in Africa, nor in the centre of the world, think differently one from the other. Thus the unity of faith and communion with the Church of Rome were the touchstone of orthodoxy with Irenæus. So Tertullian, Lib. de Prescrip. cap. 4, says, "that every doctrine is to be considered false which does not agree with the Apostolic Churches," amongst which Churches he assigns the first place to that of Rome. This learned man knew nothing of our modern distinctions of essential, and non-essential doctrines. St. Clement of Alexandria, Lib. 7, Strom. says, "the Church is of one nature or kind, the which being one, heresies seek to divide her, but she being ancient and Catholic is *one* on account of the unity of her faith." *Propter unitatem fidei.* Origen on Job says, that "*all the sects and heresies,*" he makes no distinction, "*fight against the Church.*" St. Hilary, Lib. 7, de Trin. says preciseiy the same, but adds, that whilst they conquer each other they gain no advantage, whereas a victory if gained by any of them is the triumph of the Church;

for, whilst one heresy assails in another what the Church condemns, they prove our faith or doctrine in opposing one another." It would appear that he described the contentions of the Lutherans and Calvanists with respect to the real presence of Christ in the Eucharist, or the essay of Bishop Bull, of Oxford, arguing against the Socinians.

St. Jerome. Dial. cont. Lucif. calls the different sects of Marcionites, Valentinians, Montanists, Novatians (whose errors were as different as their names,) not the Church of Christ, but the synagogue of Antichrist. Such is the doctrine which prevails universally amongst the ancient doctors of the Church on this subject. To quote St. Augustin fully it would be necessary to transcribe his entire work on the unity of the Church, as well as his several books against the Donatists: suffice it to say, that with him a unity of belief, or the same faith, and a participation of the same Sacraments, are essentially requisite to constitute any person a member of God's Church, and that all sects and heresies, without distinction, condemned by her are condemned by God himself.

Then, as to the doctrine maintained on this subject by the several Councils from the earliest age:—that of Nice, in the formula of faith or creed which it published, uses the word Church in the same sense as Catholics still do, that is, as comprising persons of the same communion only, and excluding all sects, whatever may be their errors. This Council anathematizes or excludes from the Catholic and Apostolic Church all those who do not believe that the Son is of the same substance with the Father; and, again, in its 8th Canon, where it treats of the *Novatians wishing to return to the Catholic Church,* it considers them as excluded from it, for otherwise how could they return to it?

Again, the first Council of Constantinople, held shortly afterwards, cap. 7, after prescribing the mode according to which the Arians, the Macedonians, the Sabbatists, the Novations, the Quartodecimans, the Apollinarists were to be admitted to the communion of the Catholic Church, it requires that they sign a *written profession* of faith, wherein, amongst other things, they declare that they *anathematize every heresy which dissents from the Holy Catholic and Apostolic Church of God.*

The Council of Sardis, held in this age, in the letter preserved by St. Athanasius in his 2d Apology, which the Fathers addressed to all the Bishops of the world, considers the separation from the Church the same as an exclusion from the Christian name or profession. St. Celestin in his letter to Nestorius, referred to in the Councils of Ephesus and Chalcedon, admonishes that Heresiarch that he would be separated from the communion of the Catholic and Universal Church, if he did not embrace the doctrine taught in the Churches of Alexandria and Rome. So the African Bishops in the case of Seporius, tom. 2, conc. p. 1683, require of him as the condition of his pardon, that he profess to receive and hold what the *Ordo Ecclesiæ*, the ministry or rule of the Church received and held. But perhaps the most explicit declaration of the sense of antiquity on this subject is the following, found in the 6th Canon of that Council of Constantinople before mentioned, and which designates as heretics, all "who are cast out and anathematized by the Church, and who, pretending to profess the sound faith, are torn off and separated, and hold assemblies in opposition to the canonical bishops."

Now those doctors of antiquity, those councils to which I have referred, wrote or published what is cited from

them about three or four hundred years after the birth of Christ, a period of time little more than equal to that which has elapsed since the defection of what Lubnitz calls the Sclavonic nations from the Latin Church. Could they have mistaken the doctrine of Christ and his Apostles, or the sense in which the writings of the latter, and the church discipline, established by them, were understood? was such ignorance or error on their part possible, leaving out of consideration all special aid from God? But before we answer this question to our own consciences, let us consider that these bishops and writers were men of great learning, of unimpeachable virtue, conversant practically with what they wrote, and living in times which may justly be called enlightened. Let us, to assist our judgment, take a parallel case:—suppose the bishops of Italy, Spain, France, Germany, England, and Ireland, together with the most learned and distinguished ecclesiastics and civilians to be found in those countries, were now, whether dispersed or collected together, called upon to testify as to the faith and church discipline of their respective countries in the time of Philip the Fifth, Francis the First, Leo the Tenth, and Henry the Eighth, would it be possible that they could not so testify it to the satisfaction of every unbiassed mind? and if they could, no reason can be assigned why the doctors and pastors whom I have quoted should not afford equal satisfaction to every candid inquirer as to the Christian doctrine in the days of the Apostles. They should also *necessarily* testify what the universal sentiment and belief of the Christian world was in their own time, as to the unity of the Church, and the description of persons who were supposed to belong to it. I, therefore, refer with the utmost confidence to every sensible man, the evidence which I have adduced, and if it be found compatible with the amalgamation of all sects and heresies, or with

the commixture of such of them as believe the divinity of Christ, whatever their notions upon other points of doctrine may be, then do I willingly resign all my notions of church unity, as well as of the nature of heresy and schism. Jurieu pressed by this evidence could not withstand it; he would not, however, yield his assent, such are the effects of human pride, but in the perverseness of his senseless obstinacy exclaimed, that all antiquity had erred on this point. It is, however, too obvious, that to condemn, as guilty of error, all antiquity, including the earliest times, is to arraign the Apostles and Christ himself; it is to say that the Church never had been founded, or, that founded, she had passed away like a shadow.

But again, why should we condemn those who deny the divinity of the Son of God more than any others, who, following their own judgment, are led into error? Are not many of our modern Arians and Socinians learned and honest men? are they not sincere in their searches after truth? far be it from me to say they are not; and whilst I consider their error as heresy, God forbid that I should judge between them and their Creator. He made them for himself, and I hope and pray that from amongst them he may, by the infusion of his light and love, save many. It was only of Judas, that treacherous, cruel, avaricious wretch, that the Lord said, "it would be better for him he had not been born," and in his mercy he has told us that a sin against himself would be forgiven, but that he who sinned against the Holy Ghost—he who despaired of mercy—who assigned the works of God to Satan, or wilfully opposed the known truth (for such the ancients considered sins against the holy Ghost,) would not be forgiven, neither in this world nor in the next. It is difficult to determine whether the sins in which the understanding of man,

clouded with ignorance on account of Adam's fall, is chiefly concerned, or those in which the *will*, infected from the same source with passion, acts most prominently; be the more grievous; but, without doubt, whether we attend to the catalogue of vices which the Apostle enumerates as excluding from the kingdom of God, or to the sentence to be pronounced by the Lord himself upon the just and the reprobate on the last day, we are induced to think, that though without a right faith it is impossible to please God, yet that they are the sins which proceed from the heart or will, rather than those which emanate principally from the mind which will fix the eternal fate of man. It was a question amongst the Jews what was the greatest commandment in the law, whether to worship the Deity by sacrifice, which was a profession of faith—of absolute dependance on the Supreme Being, and an act of prayer, or to love him with the whole heart. The Redeemer decided the question in favour of the love of God and of our neighbour, and Paul having enumerated Faith, Hope, and Charity, the three great Christian virtues, says expressly, that Charity, which lasts for ever, is the greatest of the three. Sins therefore against Faith, such as heresy, are very grievous; perhaps, next to apostacy, this vice is the worst of all, as it cuts up the root of justification; but, abstracting from this character of it, it may not be so malicious, not so much opposed to the nature of God as those sins which conflict with Charity—and this is a reflection which ought often to occur to those who, agitated by a fiery zeal, and swoln with a selfishness, which they mistake for faith, break down all the charities of human life, sow dissensions amongst brethren, and forget totally the divine command of doing to others what they would that others should do unto them. We should reprobate heresy as we reprove drunkenness or theft, usury or oppression of the poor; we should denounce

schism as we proclaim the guilt of calumny or detraction; but as we should exercise patience and long suffering towards the drunkard, the thief, or the calumniator, so we should use forbearance and charity towards the wilful and obstinate heretic, hoping that the Lord may perhaps yet give him repentance like to other sinners. But, if the person who is in error has been seduced into it by others, if he have received it as an inheritance from his fathers, and that his education, his habits, his passions, his interests, his connexions, raise a barrier about him which the light of truth cannot, morally speaking, penetrate, or the force of argument approach, still less break down; to cherish for such a person any other feeling than that of the most unmixed and ardent charity would not only be unchristian but inhuman; to consign such a man to future suffering on account of his errors would be an usurpation of the divine knowledge and power, and whosoever would pass judgment on him should fear that a similar judgment, without mercy, would be passed upon himself. It is the duty of those who are ministers of Christ to exhibit the truths of the Gospel and the errors opposed to them, to display virtue in all her beauty, and exhibit also the deformity of vice; to exhort, and to beseech men in all patience and doctrine to adhere to truth and virtue, and to fly from vice and error; to minister the aids of religion to all who seek them at their hands; to exclude from their assemblies and communion all who obstinately adhere to vice or error, but to leave the judgment of mens souls to him who created and redeemed them, who alone is able to discern the innocent from the guilty, and who will repay to every one according to what he did in the body, whether good or evil.

There is no person who rightly understands the spirit

in which Christians are called, and which spirit created and preserved that unity amongst the members of the Church, who will not subscribe to those sentiments. They are the dictates of charity and liberality rightly understood, but far removed certainly from that novel opinion now so prevalent amongst Protestants, which would open the Church to all sorts and descriptions of sects, and erase from the catalogue of vices, revealed to us by Almighty God, the crimes of heresy and schism.

But the observations hitherto made on the unity of the Church, and the criterion by which she always regulated admission to her communion naturally suggests the following inquiry:—how was this unity of faith so strict and rigorous in its nature, preserved amongst so many nations as composed at all times the Catholic Church? To answer this inquiry we must travel once more over the same ground through which we have already passed. We must revert to the constitution of the Church, to its order and government as presented to us in the Gospel, in the acts and letters of the Apostles, in the councils of the primitive times, and in the writings of those early pastors and doctors whom Christ gave to his people.

The Redeemer himself established a conserving principle of unity, without which it could not have continued, and he did so by appointing Peter the chief, or supreme head on earth of the whole Church, and by continuing to his successors this singular and necessary privilege. This supremacy and the cause of its creation are beautifully expressed by St. Jerome, when he says *inter duodecim unus eligitur, ut, Capite constituto, Schismatis tollatur occasio*—from amongst the twelve one is chosen, that a head being appointed the occasion of schism might be taken away." Yet, notwithstanding this supremacy, Paul says "here-

sies must be"—*oportet hereses esse*, but without it, considering the jealousies, the piques, the interests, the passions of nations and individuals, it would be totally impossible to preserve even a semblance of unity throughout the vast empire of Christ; for men are by nature so fond of novelty, that even admitting the influence of divine grace, they require the strong bond of authority to keep them united. But let us briefly examine the origin and nature of this supremacy as it is testified to us by the Scriptures and antiquity. In the 16th chapter of the gospel according to St. Matthew, a profession of his faith in the divinity and mission of our Lord is related, as made by Peter, saying, thou art the Christ or the Messias promised to us, the Son of the living God. In reply, the Christ assures him that his faith was not the fruit of earthly wisdom but of divine grace, imparted to him by the Father of Mercies; and the Redeemer finding him as it were thus selected and gifted by Almighty God, adds to this first grace a new one, not of election to the faith or to the apostleship, which had been given to him, but the grace or gift of election to the place of head or chief of that society, or kingdom, or church, which after his own ascension and the descent of the Holy Ghost, was to be founded by him on the earth. "The Father has selected you." We may suppose the Redeemer to address him thus:—"above all others, not only to believe in your heart to your justification, but also to profess your belief openly with your tongue, and in addition to this gift of the Father, who has drawn you to me, I, the Son, who do all things that he doth, say to you, thou art a rock—strong and immovable in your faith, and upon this rock, that is, upon you professing this faith which my Father has inspired into you, I will build my Church: you shall, after myself, and when I will have ascended to my Father and to your Father, to my God

and to your God, be made the foundation, the corner stone, the firm and lasting support of that Church, which through your ministry and that of your colleagues, the apostles and prophets, the pastors and doctors who will be given to labour with you, (I myself being the chief builder, the sovereign head and immovable foundation), shall be established by me upon the earth. Against this Church which I will raise on you, the gates or force of hell shall not prevail; fear not, even hell, for I will conquer the prince of this world and cast him out. He will indeed seek to grind you all like wheat, and notwithstanding my grace, will prevail over many of your colleagues; but Simon, Simon, I have prayed for YOU, that though you be shaken for a moment, that though your passions or infirmity become the allies of Satan, and cast you down from your steadfastness, yet fear not, I have prayed for YOU, that thy faith, imparted to you by a special privilege of God, fail not; be sober and watch, be careful that recovering from your weakness and resuming your former station, you confirm your brethren who may waver in the faith."

I will give to thee the keys of the Kingdom of Heaven, under which name I have, as you know, so often designated my future Church, and as keys are the symbol of power, the mark of rightful possession, and the emblem of chief authority, I shall give to you, with them, this power, this possession, this authority; you shall hold them for ever undisputed and undivided in my kingdom, which is the Church. All other power, all other authority which I may impart to your colleagues shall be subordinate to yours, that all things in my peaceful kingdom may be done according to order. You are the foundation, and to you the keys are given, the chief, the prince whom all my subjects will be found to reverence

and obey. Whatever you bind, whilst justly executing my law in the city of God, over which you are to be placed, shall be bound in heaven by my Father and by me, and whatever you loose on earth, in the just exercise of your power shall be loosed also by us in heaven. This prerogative or principality which was thus promised by the Son of God to Peter as to the head of the Church, representing her unity in the singleness of his own person, as St. Augustin well observes, was afterwards imparted to him, when, after the resurrection of our Redeemer, his charity was proved like as his faith had been, and, being found full, was rewarded with the entire confidence of his Divine Master, and the communication of that unequalled power which had been promised to him. But let us cite the entire passage from the 21st chapter of St. John:—"So when they had dined, Jesus said to Simon Peter, Simon, son of John, lovest thou me more than these? he saith to him, yea, Lord; thou knowest that I love thee. He saith to him, feed my lambs. He saith to him again, Simon, son of John, lovest thou me? He saith to him, yea, Lord, thou knowest that I love thee. He saith to him; feed my lambs. He saith to him the third time, Simon, son of John, lovest thou me? Peter was grieved, because he said to him the third time, lovest thou me? and he said to him, Lord, thou knowest all things, thou knowest that I love thee. He said to him, feed my sheep." Christ then foretells to him his future martyrdom, and by what manner of death he was to glorify God, and with the recital of these things the Evangelist closes his gospel.

To a candid man it should be unnecessary to argue upon those passages of the divine revelation. How can it be necessary to observe to a reasonable and unprejudiced mind, that the selection of Peter, the promise

made to him, and the fulfilment of that promise by Christ, are distinct from every thing else narrated by the evangelists? I am at a loss to conceive how it ever was denied that Peter was selected by Christ, as the chief of the future Church, vested with a singular and preeminent power for its benefit, and charged with a sovereign care of all its members. When Christ, in the 18th chapter of St. Matthew, orders the erring christian to be reproved, and if found obstinate, denounced to the Church, he promises to each and all the apostles, that whatever they would bind on earth would be bound in heaven, and whatsoever they would loose on earth would be also loosed in heaven, and thus gives to them a promise of that apostolic authority, without which they would not be rulers of the Church in their own right and by divine appointment, but mere subalterns or deputies of Peter. But he does not promise to them, as he did to him, the keys of the kingdom of heaven, the emblem of supreme authority, and the type of universal jurisdiction; he did not pray for them singly, and as he did for Peter; he did not charge any of them with the duty of confirming their brethren, though they should all reprove each other when necessary; but above all he did not say to any one, or to all of them, "feed my lambs," and a second time, "feed my lambs," and a third time, "feed my sheep," the entire fold which I will gather from the nations. All his gifts are without repentance; that is, when bestowed he does not withdraw them, unless we cast them away, and such gifts as he imparted for the sake of his Church, which he espoused to himself by an everlasting covenant —which he washed in his own blood—which he loves as being bone of his bone, and flesh of his flesh, and which he will preserve in his love until he presents her without spot or wrinkle before the face of his Father; whatever gifts or graces he imparted on account of this Church to

Peter or to his apostles as necessary for her are truly without repentance, he never will, he never can withdraw them.

If, therefore, in the 16th of Matthew, he promised to Peter any privilege connected with the foundation and preservation of this Church, it must continue, and be always distinct from the power and privileges granted in common to the apostles. He promised to them all united a power to rule the Church, and to this day we say in the language of St. Cyprian, *Episcopatus unus est cujus in solidum pars a singulis tenetur*—"the episcopacy is *one*, a portion of the entire of which is held by each bishop;" but how does this interfere with the supremacy of the head, or rather how could it exist in order, or be carried on without that supremacy? he sent them all to teach and to baptize all nations, and to command those nations to observe what he had given in command for them, to be published by the Apostles. But how does this interfere with the prerogative of Peter, which keeps the teachers themselves firm in the faith, zealous and correct in their labours, uniform in their doctrine, so that they all say the same thing, and that there be no schisms among them? or rather how could those advantages be, by any possibility, secured if Peter's jurisdiction were not universal and supreme? He made them all partakers of his own priesthood, saying to them, "do this in commemoration of me;" he imparted to them all the Holy Spirit, when having breathed on them, he said, "receive ye the Holy Ghost; whosoever sins you shall forgive they are forgiven, and whosoever sins you shall retain they are retained;" but how do these exalted and superhuman powers interfere with the charge of Peter to feed the lambs, and feed the sheep of the great bishop of our souls? No, I say confidently, it is impossible that an intelligent and honest

man, who searches for truth as he seeks for gold, and who cooperating faithfully with the grace of God, esteems all things as dung that he may gain Christ, would seriously deny the spiritual prerogative and special jurisdiction of St. Peter. The disciples and evangelists all recognised them; they name Peter the first, the πρωτος, or as it might justly be translated the primate, "they present" him as the first of the disciples, to whom our Lord after his resurrection appeared—the first who after the descent of the Holy Ghost preached the gospel—underwent persecution for the faith—who first experienced the divine protection when in prison—the first who wrought miracles in the name of Jesus—who founded the Church amongst the seed of Abraham—who confirmed the converts made by others—who was first commissioned to call the Gentiles in the person of Cornelius to the faith; it was he, who having founded the Church at Jerusalem, established it next at Antioch, and afterwards passing to Rome, the Babylon of the world in that age, laid the foundation of that Church to which perfidy or apostacy, as Cyprian has observed, never had access, and whose faith, even in Paul's time, as in our own, was spoken of and increased throughout the entire world. It was Peter, who by the hand of Mark, sowed the gospel seed at Alexandria, and thus establishing the four great Patriarchates which embraced the Christian world, verified even in his own person, and in his own day, the promise of his master, saying, "thou art a rock, and upon this rock I will build my Church." Why, after witnessing, those things should we refer to his acting at all times and places, whether in the temple, before the sanhedrim, at the election of an apostle or of deacons, or at the council in Jerusalem, as the head, the chief, the mouthpiece, to use a term of St. Chrysostom, of the apostles?

But, it will be said that certain doctors of antiquity understood the text: Simon, son of Jona, "thou art a rock, and upon this rock I will build my Church;" as if the Lord had said, "thou art a rock, and upon this faith in my divinity professed by thee, I will build my Church," and I have no objection whatever to such mystical and edifying exposition of the text, provided that no person be so senseless, whilst he admits this signification, as to exclude the other, which is plain, natural, and obvious, for I scarcely know a text of Scripture which commentators have not explained in a mystical or metaphorical, as well as a natural and obvious sense. All I require is, that when one signification is set forth, it be not supposed that the other is excluded; for my part, I see nothing more obvious than that Christ contemplated Peter as inspired by his Heavenly Father with a pure and lively faith, and that contemplating the man filled with this faith and professing it, he immediately selected him to be the head and chief of his Church or Kingdom. How justly, with such a view of the question, would any person commenting on the passage, treat, indifferently of the faith professed, or of the person professing that faith, and assign to either, without excluding the other, whereas both were indivisibly conjoined, the promise of Christ? But that Peter was the living acting subject to whom the promise was directed, and on whom the benediction fell, no man in his senses should deny. I find St. Hilary, St. Chrysostom, St. Cyril of Alexandria, St. Augustin, to treat this question as I have just set it forth; at one time representing Christ as contemplating Peter, at another as contemplating the faith which he professed, or admitting that either may be understood, whilst the greater number of the fathers confine themselves to the natural, obvious, and plain signification of that portion of the text.

But where there is question of the promise of the keys to Peter, and of the command given to him to feed the lambs, the sheep, the whole flock of God, then antiquity, like a torrent, sweeps away all opposition, every obstacle which a perverse sophistry would at any period oppose to the supremacy of this apostle. All the fathers, for I know of no exception, consider him as representing the whole Church, and receiving from Christ, in his own single person, the keys or power of its government, to be exercised by himself and by his brethren with due subordination to him as chief or head.

Origen, Hom. 2. de die., calls St. Peter the supreme head or summit of the apostles; and, commenting on the 6th of St. Paul's epistle to the Romans, says, that "the sovereign care of feeding the sheep was given to Peter, and that upon him, as upon a rock, the Church was founded." Eusebius, hist. lib. 2, cap. 14, calls Peter "the most powerful and greatest among the apostles, and on account of his virtue, the prince and protector of all the others." St. Cyril of Jerusalem, catech. 2 and 11, designates him as "prince and chief;" S. Basil Proœmio de jud. dei., says. "that blessed Peter, preferred to all the apostles, to whom singly greater testimonies or assurances were given than to any other; he who was called *blessed*, to whom the keys of the heavens were entrusted." St. Greg. Naz. orat. 26, showing there that in disputations order is to be observed by all, takes an argument to prove that position from the apostles, who though all great, yet had one placed over the others: "see," he observes, "how from among the disciples of Christ, all, without doubt, great and excellent and worthy of election, one is called a rock, and received the foundation or chief place of the Church; another is peculiarly beloved, and reclines on

the bosom of Jesus, and the other disciples, without murmuring, see them thus preferred."

St. Cyril of Jerusalem, lib. 12, in Joh. speaking of Peter, says, "he appears eminent above the others, he the head and prince of them." St. Chrysostom, hom. 5, in Math. hom. 87, in Joh. and hom. 3, in acta app., as also orat. 8, in Jud. employs the following language to designate the supremacy of Peter, or his superiority as compared with the other apostles:—"a man ignoble and a fisherman, is the head and pastor of the Church, the mouth or tongue, the prince and supreme head of the apostles; the prince of the apostolic band, who every where, and first of all, begins to speak; Peter so washed away that denial (of his master) that he even was made or constituted the first or chief of the apostles."

These are the sentiments of the ancient Greek Church, expressed through her doctors. Let the Latin Church now profess her doctrine:—

Tertullian de prescript. cap. 22, refuting those heretics who charged the apostles with ignorance or negligence, says: "Was Peter then ignorant of something? he who was called the rock on which the Church was to be built, and who obtained the keys of the kingdom of heaven." He repeats in various forms, and in different parts of his works, that Peter represented the Church, and that what the Lord conceded to her, he conceded it through Peter. St. Cyprian, ep. 55, says: "Peter, on whom this same Church was founded by the Lord, speaking alone for all, and answering in the name of the Church;" and ep. 71, this father showing the moderation with which persons the most exalted should use authority, observes, that when Peter was reproved by Paul, "he did not insolently

and arrogantly assume any thing, or appeal to his primacy, or complain, saying, that obedience, not reproof, was due to him by new people, and those who came after him," as Paul did. It is thus that Cyprian inculcates the necessity of feeding the flock of God, not by violence, but freely, not as lording it over God's inheritance, but with good will, whilst he admits the authority which might have been abused. But in his book on the unity of the Church, not far from the beginning, where he touches this matter, not indirectly, but treats of it expressly, his sentiments are more clear and full. "On him (Peter) alone," he says, "Christ built his Church, and to him he committed his sheep to be fed, and though after his resurrection he bestowed an equal authority on all the apostles, and said, "as my Father sent me so I send you; receive ye the Holy Ghost, &c., yet to render unity manifest, he instituted one chair, and regulated by his own authority the source of that same unity, taking its rise from ONE.* Thus Cyprian accurately defines that

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* There is a passage in the above quotation from St. Cyprian which I omitted, in order to avoid cavil, though my own opinion is that the passage is genuine—*exordium ab unitate proficiscitur et Primatus Petro datur.* "The beginning (of the apostolic authority) proceeds from unity and the primacy is given to Peter."

Rigault, as also Doctor Fell, in his edition of Cyprian's works, reject the above passage as not found in the editions of Spires, or admitted by Rembold, by Erasmus, Gryphius, Gravius, and some others, and as wanted in many manuscript copies. But the passage is found in many and most ancient manuscript copies, as in that of the Vatican referred to by Manutius, that mentioned by Onuphrius Panvinius in his treatise *de Primatu Petri*, in that of Cambray, in a second of the Vatican, in that of St. Saviours at Bologna, in four in England, mentioned by Fell; besides that it was quoted in the sixth century by Marcellus the Second, writing to the bishops of Istria; in fine, in place of being a tautology, if admitted, as Rigault thinks, it accords perfectly with

apostolic power, one and indivisible in its nature, equal in each, and first given to the college of the apostles, and still continued to the unbroken and undivided body of the episcopacy, whilst with equal accuracy he marks the primacy of Peter, and points out the end, to wit, the preservation of unity, for which it had been instituted by the authority of Christ himself.

S. Optatus, lib. 2, contra Parmens, says to his opponent, "you cannot deny what you know, that the episcopal chair (signifying here, as in all places, doctrine and authority,) was first fixed in the city of Rome by Peter, in which Peter himself, the head of all the apostles, sat, whence (that is from his headship,) also he was called Caephas; in which one chair unity would be preserved by all, that each of the other apostles might not claim one for himself—*ne ceteri apostoli singulas sibi quisque defenderent*, and so become a schismatic and a sinner, who, against the *one* chair, would set up another." St. Ambrose, in cap. 12, Ep. 2, ad Cor. says briefly, but forcibly, "it was not Andrew, (he was the eldest), but Peter, who received the primacy."

St. Augustin, lib. 2, de Bapt. cap. 1, says of Peter, "in whom the primacy among the apostles is seen exalted by so excellent a grace." He repeatedly observes, that "Peter, on account of his primacy, represented the Church." In his thirteenth sermon, *de verbis domini*, he says "Peter was first in the rank of the apostles:" "he

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the style and manner of Cyprian, as well as with his doctrine throughout that entire book, as when he says, "that on Peter alone the Church was built," that one chair was appointed," and that "unity had its origin from one," that is from Peter, &c. &c.

was the type of the *one* Church;" "he alone answered for all;" "he was named Peter from a rock;" "he represented the Church;" "he bore the primacy of the apostolic office."

St. Leo, ser. 3, de assump. sua ad Pontif. says, "Peter is elected alone from the entire world; he is preferred to all the nations—to all the apostles—to all the fathers of the Church, so that though there be many priests among the people of God, yet they are immediately ruled by Peter, he being principally ruled also by Christ."

But why is this venerable host of primitive pastors and doctors drawn forth in order to prove the primacy or supremacy of Peter? Why, because for my purpose, it is necessary to bring back the minds of readers to the primitive form of the Church, and to the ground work of christianity, which in these times of religious intemperance and fanaticism seem to be entirely overlooked. Political economy, or the art of founding joint stock companies, are scarcely the subjects at present of less rational speculation than the testament or religion of Jesus Christ. The austere virtues of the gospel, such as continency, chastity, fasting, watching, prayer, repentance, joined to external mortification, which virtues were religion's best support, have long since been discarded from amongst the pious practices of a christian life, and descending gradually from one abyss to another, men now adapt their religious theories to the taste of the age, as Sheridan or Molière did their comedies. One creates a company for the conversion of the Jews, another for enlightening the Hindoos, a third undertakes to instruct the Blacks who border on the Cape, a fourth will emancipate, from spiritual despotism, the slaves in Barbadoes, or the more miserable Irish; one proclaims the necessity

of prelates and boasts of the beauty of his liturgy; a second says, liturgies embarrass the spirit in its flight, and why should those made free by Christ be subjected to the rule of Bishops? One system of religion is suited to the wealthy and the proud, having order, pomp, and ceremony, the other, coarse, irregular, and loud, fitted to the peasant or mechanic. The word of God, the Bible, is on the lips of all; the right and power of private judgment are unreasonably extolled—the sacraments are neglected—the ministry superseded—and whilst fanaticism thus burns on the surface, immorality weighs upon the heart, whilst infidelity, secretly and silently advancing, prepares to erect its standard on the ruins which this fanaticism will have made. If men do not return to first principles, and arrest their minds in their present course, if they do not review the christian religion, not as presented in the passing declamations of the day, but as it was originally established by the Spirit of God, no gift of prophesy is required to foresee how lamentable are the results which press upon us. To bring back public attention then to the consideration of the leading maxims of the primitive Church is deserving at least of an effort, but besides this motive, it was necessary for my special purpose to show how unity (so essential to the kingdom of Christ,) was preserved in the immense society of true believers.

It was with this view principally that I endeavoured to demonstrate that a primacy was given to St. Peter—a prerogative which vested him with power as extensive as the Church, and which might, and ought when necessary, be exercised over every sheep within the fold of Christ, of whatever rank or order.

The language of the Redeemer, as quoted by me, from

the 16th chapter of his gospel according to St. Matthew, shows of itself that the authority given to Peter was to last as long as the Church, for if he were made the foundation of it after Christ, the rock on which it was built, it is perfectly obvious that as long as the superstructure lasted the foundation could not be removed; in other words, that as long as a Church was to remain on earth the authority given to Peter should continue to it—that so long as the kingdom of heaven, or city of God, continued in this world so long should some person be vested with the keys of government—that as long as there would be a fold of sheep and lambs, so long there should be a pastor to feed them in the place of Peter—in fine, that as long as the faithful were to be one body, saying the same thing, and not having divisions among them, so long there should be some person vested with power to enforce obedience—to collect the sentiments of the body—to publish its acts—to institute or sanction its officers—to preach and cause to be preached the doctrines of Christ—to dispense and cause to be dispensed the mysteries of God, that so the people might obey their prelates and be subject to them, that the prelates might not lord it over the people but be made patterns to them from the heart, in fine, that all might have one faith, and not be tossed about by every wind of doctrine, but be kept united in that common charity, which is the great source, as it is the bond of perfection.

But this consequence, however plain and necessary—however spontaneously flowing from the very source of christianity, yet it has been contradicted, and seldom more violently, or at least less temperately, than at the present day. The furious men who now agitate this country seem to know that the sword and the law could not have been drawn, or, if drawn, could not have been

wielded with such deadly effect against the holy and ancient religion of these islands, if that religion had not first been decried, abused, and maligned, until it appeared to the multitude a very moral monster. "From the sole of its foot, like its founder, to the top of its head, there was no soundness in it"; it was buffetted, abused, spit upon; it was covered with a mantle of derision; it was scourged, and drenched with vinegar and gall; the waters of affliction entered into its very soul, and it was, when thus disfigured by a clamorous rabble, and seemingly abandoned by God, that the bigots and the fanatic cried out to the agents of the law and of the sword,—"away with it, away with it."

But as there was no tenet of this religion more opposed to the machinations of those furious and designing men, nor again, no tenet more strongly supported by argument, by the practice of the Church, and an undisputed possession of fifteen hundred years, than that of the supremacy of the successor of St. Peter, so there was no tenet against which their sophistry, their misrepresentations, their violence, their rancour and persecution were so unceasingly directed. To such extremities did these men proceed as not only to confound the power claimed by some few popes of Rome over the temporal interests or rights of kings and kingdoms, with the spiritual jurisdiction of St. Peter's successor, but, in addition to this misrepresentation, they actually designated not one or other, but a whole series of those successors, as Antichrists, and excited the deluded multitude to hate them and curse them as the capital enemies of our Lord and Saviour. Yes, the very men who maintained from the beginning, and still maintain against an infidel or Arian world the divinity of the Son of God, the very men who designate themselves as the last of his servants,

and who, without any doubt, have caused his name to be published and adored throughout nearly the whole christian world, these men who never ask any thing of the Father except through the Son, and identify him in their daily prayer with the King of Ages, the immortal and invisible God, to whom alone are due and given all honor and glory, these very men have been called, by the ferocious leaders of the revolt, "Antichrists"!! and the Church in which they have always presided, and whose faith was from the beginning, and still is spoken of throughout the entire world,—this Church they called "Babylon," and the "great apostacy," with all manner of opprobrious and insulting names.

To the present day this warfare of calumny is continued for the same purposes, and by the genuine successors of the wicked men who first commenced it; hence it necessarily enters into the design of these observations that I endeavour, not to dissipate the cloud of calumny which still prevails, (a task to which I confess my incompetency), but to prove, in addition to the argument adduced by me, that the supremacy given to Peter has passed to his successors, the bishop, for the time being, of the See of Rome.

This is a truth, like many others, connected with a matter of fact, and a fact which, as it commenced with the demise of Peter, cannot be found recorded in the Holy Scriptures; but it is, at the same time, as we have seen above, a truth flowing necessarily from the institution by Christ, of the primacy in the person of that apostle; and all antiquity, as it attests the existence of that primacy in Peter, so it attests the transmission of it to his successors in the See of Rome.

The law of nature sanctions a presumption in favour of him who has the peaceable possession of any thing, and he is supposed to have acquired it justly, until his title to it is disproved. The burden of proof lies on him who questions the right of possession, and not upon him who holds it; but when we Catholics call for this proof against the title of Peter's successor to the spiritual supremacy which he enjoys, we are replied to by loud declamation, by angry invective, or by visionary speculations on the Apocalypse. If we refer to historical records to show not only the possession, but also the exercise of this supremacy in every age from the apostolic times, we are told that Mosheim (the faithless Hume of the Protestant Churches,) says, that the early churches, like the Greek republics, were all independent one of the other, and their councils, like the amphyctionic assemblies. To refute this folly we refer to Eusebius, to Fleury, to Natalis Alexander, we present the long and accurate catalogue of cases compiled by Cardinal Perron for the information of King James the First, to show that no Church was ever independent of the head of the episcopacy—that he exercised in every quarter of the known world a jurisdiction commensurate with the exigency of the case which required it. We exhibit the appeals made to him from each of the three great patriarchates as well as from all parts of his own in the West, and refer to the decisions pronounced by him.—we mention the names and the sees of the bishops whom he acquitted or deposed—the nature of the discipline which he sanctioned or reproved—the errors and heresies which he condemned. We refer to the councils in which he presided either in person or by his delegates, from the time when councils were first held; we produce copies of his instructions to his legates, whether proceeding to the East or to the West; his confirmation or rejection of the whole or of a

part of their proceedings; his spiritual preeminence asserted by him, and for him, and admitted with acclamation by all the orthodox, whether in council or dispersed, and never disputed unless by the wicked, the refractory, and the rebellious—the successors of Core, of Dathan, of Jannes and Mambre. We appeal to argument and common sense;—but the spirit of the *great revolt* from the just authority established by Christ in his Church, answers to us, saying, "obedience, that great virtue, by which all were justified by one, is no more to be practised; there are no longer judges in the Church, every believer is to judge for himself; he who separates himself no longer sins by so doing; the man who chooses for himself, setting at nought the judgment of those appointed to teach all nations and rule the Church, is no longer condemned by his own judgment; no man is obliged to hear the Church, as if Christ spoke through her; every old man and silly woman is now competent to decide on all controversies; a man may think on religion as he pleases, and speak as he thinks, nor is there any one entitled to reprove him and cast him out among the heathens. The day of gospel liberty is at length arrived, we have been freed, not from the yoke of Jewish observances, which neither we nor our fathers could bear, and made the children of God, under the dominion of Christ and of his heavenly grace, but we have been freed from all restraint upon our will or passions, upon our reason or fancy, and totally exempted from all obedience to those pastors who were formerly appointed to watch so as if to give to God an account of our souls. We want no teacher, for the unction of God teaches us all things, even the most contradictory, illusive, and impious; we may now without danger be tossed about by every wind of doctrine; no unity of belief is required of us; we need not worship at the same altar, nor partake of the same sacraments, nor hear the voice of the same

pastor; the body of Christ has undergone a thorough reformation; it is now a mass of heterogeneous, discordant, and conflicting members, the head and the foot and the hand each goes its own way, and performs its own function independent of the other; in a word, there has been *a great and entire revolt* from the mutual dependance, the well regulated obedience, the singleness of faith, the uniformity of discipline, the brotherhood of charity which was originally established and prevailed. Formerly the believers had but one heart and one mind, now no two of them are of the same mind; formerly all said the same thing, nor were there any schisms among them, now no two persons say the same thing, and schisms are multiplied without end or number; formerly there was but one church, one font of baptism, one altar in the town or village, now there are as many churches or conventicles as streets, some with, and some without an altar, some having a font for baptism, others having no such means of regeneration; in this only are we all agreed, to condemn the faith of our fathers, and to dissent from each other in all things else.

We speak sometimes about essentials, and non-essentials, but incapable of ascertaining what should be designated by those terms, we say the Bible, and the Bible alone is our religion (a tolerably sized one it must be confessed,) and in its interpretation we seek only a justification of discord and the condemnation of unity.

But leaving this view of the subject, painful, and at the same time ludicrous, if the follies of christian men could be a just subject of ridicule, let us proceed with a sketch of the doctrine of antiquity relative to the supremacy of the See of Rome. The second schism at Antioch, in the time of Clement, the heresy of Paul of

Somosata in the East, the errors of the Montanists in Africa, the question of the day on which the christian passover should be celebrated, the other relating to the validity of baptism when administered by heretics or persons not within the Church, each of these subjects excited the zeal, or called forth the exercise of the authority vested in the bishop of Rome as successor of St. Peter: but it was not until the persecution ceased, and that the Arian controversy troubled the Church, that this authority became unshackled and conspicuous. Pope Sylvester, who, as Eusebius mentions, was too enfeebled by age to leave his See, sent his legates to preside at the councils held at Arles, at Alexandria, &c. but particularly at the great, and always to be celebrated, general council of Nice.

It is difficult, if not impossible, to determine what number of canons were enacted at this council; in the sixth, however, which is quoted in the 16th action of the council of Chalcedon, either the words of the canon or of the title of the canon are "*Ecclesia Romana semper habuit primatum*—" the Roman Church always possessed the primacy;" and then the canon proceeds to recite and settle the other patriarchal churches with their dependancies. Volumes have been written to prove that the above words were, or were not, a part of the canon, yet the question, in truth, did not deserve more than the attention of critics or antiquarians, who love to dispute about manuscripts rather than about what they record. Pope Nicholas the First, writing to the Emperor Michael, lit. 8, explains the truth as to the meaning of this short sentence wheresoever it might have been originally placed: he says, "if the decrees of the Nicene synod be carefully examined, truly it will be found how that synod conferred no increase (of jurisdiction or authority), on

the Roman Church, but rather took an example from its form or its custom as to what it (the council) assigned specially to the church of Alexandria." The Pope not only asserts the prerogative of his See, as established anteriorly to any council, but he also shows that the council of Nice, in giving the second place to the See of Alexandria among the patriarchal churches, only copied and confirmed that usage or regulation of order amongst them, which the See of Rome had previously made.

The council of Constantinople, held in the same century, whilst it seeks to change the order of precedence among the patriarchal churches, leaves untouched, and formally recognises the undisputed prerogative of Rome: this council says, "let the bishop of Constantinople have the honor of primacy after the bishop of Rome." So does the council of Aquileia, in the same century. And now we come to the two great councils of Ephesus and Chalcedon in the following century, which not only show the primacy of the See of Rome, but also the *cause, the origin, the source* of that primacy; that it was not an appendage derived from the imperial city, as some innovators would pretend, but a real and divine prerogative, derived from Christ, through St. Peter, the founder of that See.

At the opening of the council of Ephesus, or in the first session, sentence of deposition was passed against Nestorius, in the following terms:—"compelled by the sacred canons, and by the letter of our most holy father and fellow minister, Celestin, bishop of the Roman Church, and shedding tears, we necessarily have come to this decision against him (Nestorius)." In the letter here referred to, and produced at length in the second Action or Session, Celestin states: "We have directed, according to our solicitude, our brothers and fellow

priests, most approved men, and of one mind with us, to wit, Arcadius and Projectus, bishops, and Philip our priest, to be present at the proceedings, and to carry into effect what has been already decreed by us." The matter decreed by the Pope, and mentioned here, was the deposition of Nestorius, patriarch of Constantinople, if he did not, within ten days from the notification of the papal decree, abjure his error, and promise thereafter to preach the faith of the Catholic Church. The Pope further commissions St. Cyril of Alexandria, to whom this decree was entrusted for execution, to provide a successor to Nestorius, in the church of C. P., if that Heresiarch continued obstinate.

In this same session, we find the legate, Philip, above mentioned, shewing cause why his master exercised so high a jurisdiction. He required that the proceedings of the synod, had, previous to the arrival of the legates, should be submitted anew to himself and colleagues, and in doing so, uses the following words:— "Your Holiness is aware that the blessed Peter is the head of the entire faith (or Church) or even of the Apostles, *wherefore*, we pray that you expose to us whatever was done in this holy synod, previous to our arrival, that we also confirm the proceedings, agreeably to the judgment of our holy Pope, and of this present assembly."

In the third session, this same legate, again urges the authority of the Pope, as derived from St. Peter; his words are: "*It is undoubted, nay, it is known to all ages*, that the holy and most blessed Peter, prince and head of the Apostles, the pillar of the faith, and the foundation of the Catholic Church, received from our Lord Jesus Christ, the Saviour and Redeemer of man, the keys of the kingdom, and that the power of binding

and of loosing was given to him, who still lives, and exercises judgment *to the present time, and at all times, in his successors.*"

It is not surprising, then, that the fathers of this council with one voice, when passing sentence on the unhappy Nestorius, cried out, "compelled by the sacred canons, and by the letter of our most holy father, Celestin, bishop of the Roman Church, we suffused in tears, have necessarily come to this melancholy judgment against him." Nor can any person reading those proceedings, doubt but the faith of the council of Ephesus, respecting the papal jurisdiction, was the same as ours at the present day;—that the decree of Celestin directed to one patriarch, to be put into execution against another, and he, the bishop of New Rome, was an act of authority as high and as strong as could well be exercised;—that the recognition of this authority by one of the greatest and most revered councils ever held in the Church, was most explicit, and that the ground upon which this authority, as well as all the proceedings of the Pope's legates in the council, rested, was expressly stated to be the authority given by Christ to Peter, and transmitted to his successors.

But the acts of the council of Chalcedon, held in 451, are yet to be examined.

At the opening of this council, Paschasinus, one of the legates, thus addresses the fathers assembled:—"We hold in our hands the commands of the most blessed and apostolic man, the Pope of the city of Rome, which is the head of all the churches, by which his apostleship hath vouchsafed to command that Dioscorus (the patriarch of Alexandria,) should not take his seat in the council, but be introduced for the purpose of being heard. It is

necesary to observe ..... either let him withdraw or we shall depart." Lucentius, the vicar of the apostolic see, said "he (Dioscorus) must necessarily shew cause why he judged, whereas when he had not a right to judge, he presumed to do so, and dared to hold a council without the authority of the apostolic see, which was never lawful—which never has been done."

In the second session, the letter of S. Leo Pope was read, and according to the acts of the council, "the most reverend bishops cried out, this is the faith of the fathers; this the faith of the Apostles, we all believe thus, so the orthodox believe; whosoever does not believe so, let him be anathema, *Peter hath spoken by Leo;* so the Apostles taught."

In the third session, Paschasinus and the other legates said, "Leo, the most holy, and most blessed bishop of the great and older Rome, by us, and by the present holy synod, together with the most blessed, and always most praise-worthy Peter the Apostle, who is the rock and the oracle of the Catholic Church, and the foundation of the true faith, hath stripped him (Dioscorus) of the dignity of the episcopacy, and excluded him from all sacerdotal functions."

In the fourth session, all the most reverend bishops cried out, "why do not they (the Egyptian bishops,) anathematize the Dogma of Eutyches? let them subscribe to the letter of Leo, anathematizing Eutyches and his opinions."

In the fifth session, when some partizans of Eutyches had created a faction in the city, and hesitated to subscribe to his condemnation, the legates use the following lan-

guage, " they who oppose and do not subscribe, let them walk away (or to Rome) whereas we have consented to the decrees, and have not in any thing opposed them. And the most reverend Bishops of Illyricum said, they who contradict, let them appear openly; they who do so, let them go to Rome."

When the council had terminated its labours, and it had been declared, among other things, that *all primacy* and chief honor belonged to the bishop of Rome, the fathers entreat of Pope Leo, in the following words, to confirm and perfect their proceedings by his decree and consent, " we pray you (Leo) therefore, that you honor our judgment by your decrees, and as we have agreed with our head in what was good, so in like manner let your supremacy complete for your children what is becoming, *sic et summitas tua filiis quod decet adimpleat.*"

I have selected those few passages from the acts of councils holden in the Eastern or Greek Church, composed almost exclusively of bishops residing outside the western patriarchate, which was more closely still connected with the Pope, and more faithful at all times in adhering to the apostolic doctrine, and to that centre of union by which it is preserved. I have referred to those councils, because they are admitted as general and orthodox by all; because matters of the greatest moment were discussed and decided in them, such as dogmas of faith, and the guilt or innocence, not of ordinary individuals, or bishops, but of two great patriarchs, the one of Constantinople, the other of Alexandria; I have referred to them, as to large mirrors, through which may be clearly seen the faith and discipline of that pure and primitive Church, which sectaries pretend to revere; and introduced them as the depositaries of the doctrine which prevailed throughout all the

orthodox churches of the then Christian world;—as bodies of pastors and doctors declaring, not by their language alone, but by their conduct, on the most important occasion which could occur, that the Pope of Rome was the successor of Peter, and, as such, the head of the whole Church, possessing the right to preside in synods wheresoever held, to give judgment in matters of faith, whether provisionally or finally, and to try, punish, or acquit the most exalted of his colleagues.

I was about to cite, as in the case of Peter's supremacy, the testimony of the ancient Fathers, Greek and Latin, in support of the doctrine maintained at Nice, Ephesus and Chalcedon, but I find those preliminary observations have already extended to a greater length than I anticipated. The opinions on this subject of SS. Ireneus, Dennis of Alexandria, Athanasius, Basil, Gregory Nazianzen, Epiphanius, Chrysostom, of Throderet, all Greeks:—and of the Latins, Tertullian, SS. Cyprian, Ambrose, Jerome, Optatus, Augustin, Fulgent; of Vincent of Lerins, and the others up to St. Bernard inclusive, may be read, in any of our books of theoloy; so that as far as human testimony can add security and stability to a right evidently founded on the power, and wisdom, and will of Christ—a right essential to the preservation of unity in the faith and integrity in the Church—a right confirmed by an undisturbed, how-often-soever-assailed possession of eighteen centuries, so far is the spiritual supremacy, and no other, of the Pope eminently supported and secured; so far is the Church of Rome, the head and mistress of all other churches, the depositary of christian truth, the guardian of discipline, and the centre of unity, to which, in the language of Irenæus, all the faithful, wheresoever dispersed, should come in christian harmony and with one accord. Nor can we more appropriately

conclude those few general observations on the nature and doctrine and discipline of the Catholic Church, whose authority is so reviled by furious men, than with the following striking passage, extracted from the Pastoral Instructions, addressed, in 1824, by all the Irish Catholic Bishops to their flocks. These prelates instructing the Catholics of Ireland, observes, "but above all, to protect you against these men who *are erring and driving into error*, you have the infallible testimony of the Church of God, which Jesus Christ appointed the depository of his doctrine, to preserve it, to explain it, to teach it, promising her that she would always be animated and directed by the Holy Ghost, and that he himself would be constantly assisting her till the end of time; that the gates of hell would never prevail against this bulwark, which, as an Apostle says, 'is the pillar and foundation of religion and truth.'* The Redeemer foresaw how great would be the inconstancy, the rashness, the pride, the rebellion of the mind of man, and that many even of those who would venerate the holy Scriptures, would, in searching into their depths, loose the anchor of faith, see vain things, and prophecy lies, saying and persevering to say, 'the Lord speaketh,' when, as Ezekiel saith, 'the Lord had not sent them.' † He foresaw that such men would create dissensions, bring in sects and broach heresies, would oppose authority, contradict the truth, fluctuate in a chaos of unsettled opinions, be tossed about by every wind of doctrine, condemn each other, and yet all cry out, '*so saith the Lord*,' *ait Dominis*, whilst they all rejected what the Lord had said. He foresaw that these sects, turbulent and licentious, known, and scarcely known, by

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* John, ch. 14. v. 16, 17. Matth. 16. v. 18. 1 Tim. ch. 3. v. 15.
† Ez. ch. 13. v. 6.

the names of their founders, would break the unity of his mystic body, which is the Church, and of which he himself is the Head; of that Church which has but ONE FAITH, as she has but ONE SAVIOUR, ONE BAPTISM, AND ONE LORD; and hence it was that he vested in her an infallible authority, which, like a light always shining, could dissipate the darkness of error, remove every doubt, interpret faithfully the Word of God, and conduct mankind into the haven of truth and salvation. And where can this Church be found, unless it be she which was built on the Apostles, which received from them the true sense and meaning of the Scriptures, and which, at her very commencement, decided the disputes and settled the doubts which arose amongst the faithful, whilst the Holy Ghost dictated her decision; 'it hath seemed good to the Holy Ghost and to us.' *

"Where can this Church be found, if it be not she from that time to the present has subsisted, and been governed by an uninterrupted succession of pastors?—she who was always unchangeable in her faith and morality, and who, like her divine Founder, was yesterday, is to-day and will be always the same till the consummation of ages; that Church, which, amongst all the sects which have sprung up about her, or proceed from her bosom, has always, as the pagan Celsus testifies, been known by the name of THE GREAT CHURCH;—that Church which has condemned all other Churches, which, like withered branches, were lopped off from the ancient and living trunk, whose root is Christ; that Church which has triumphed over so many persecutions excited against her by the Jews, by the pagans, by the impious, by all the enemies of her doctrine; a Church always assailed and never conquered!

* Acts, ch. 15. v. 8.

In a word, where can this Church be found, if it be not she which is extended throughout the entire world, which alone is one, which alone can glory in the title of CATHOLIC—a title which she has borne from the apostolic times, which her enemies themselves concede to her, and which, if arrogated by any of them, serves only to expose their shame.

"In this Church, dearly beloved brethern, you possess the fountain of all true knowledge, and the tribunal where God himself presides. He speaks to you by the mouths of all her pastors, whom, when you hear, you hear him. * Never deviate from her decisions, they are the decisions of the Holy Ghost, who governs her, and always preserves the purity of her doctrine. Never attend to any voice but to her's, she is the tender mother who has brought you forth, who has nursed you in her bosom, fed you with milk from her breasts in your infancy, and now furnishes you with strong food. She watches unceasingly over the deposit of the faith which has been confided to her by her heavenly spouse; she is always armed against every error, against every impiety, always shining in the midst of the disorder and confusion of this world, like the morning star from the midst of the clouds, to direct her children in the ways of truth and salvation. Watch, therefore, we again beseech you by the mercy of God, remain firm, do not fall from your stedfastness, be constant in the faith; repel with meekness, but with the zeal of God, all the assaults of those who would seduce you; be strengthened and animated with the aid of divine grace against all the ungodly, against all enthusiasts and impostors, *watch, stand in the faith, act manfully, and be comforted.* 1 Cor. ch. 16. v. 13."

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* Luc. 10. v. 16.

We have at length come to "The Charge." I shall break it up into propositions and refute them as I proceed. The order of my proceeding will not be exactly the same as that adopted by the Archbishop. I shall commence with those propositions of his Grace which are seemingly most important; the first of which is,

"The doctrine of Infallibility shuts out doubt and extinguishes enquiry."

This proposition is not true in the sense in which it is announced. The doctrine of Infallibility does shut out doubt, but not until due investigation and enquiry have been made; then it shuts out doubt, and so it ought, for otherwise, the faithful, *tossed about by every wind of doctrine*, would never, all of them, *say the same thing. There would be schisms among them*, contrary to the command of the Apostle. If doubt were not excluded, the belief of the Christian would not be immoveable as it ought to be, nor would faith be, as St. Paul defines it, *the foundation or substance of things hoped for*—the argument—the proof—the immoveable certainty of those things which do not appear. When the Apostles assembled at Jerusalem, issued their decree respecting the non-necessity of the Jewish rites, and did so, saying, "it hath seemed good to the Holy Ghost and to us" were not doubts excluded? even the Archbishop will admit that they were, or should have been, yet the same text informs us, that this decision was not come to until after "a great enquiry had been made." Hence, it appears clearly, and by a precedent not to be questioned, that there may be an infallible tribunal—a tribunal whose decision excludes all doubt, and yet the decision be perfectly compatible, not only with enquiry, but with "great enquiry."

The question here is not whether the successors of the Apostles enjoy a power to judge in matters disputed on in the Church, as their predecessors did; we do not here enquire, whether those pastors whom the Holy Ghost appointed and appoints to rule the Church—to keep the people from being tossed about by every wind of doctrine—the victims of that cunning craftiness which lies in wait to deceive them,—we do not now examine whether Christ be with those pastors, teaching till the end of the world, or whether the Holy Ghost abides with them when they vindicate the truth, and eject the obstinate sinner from the Church; no, the only enquiry which "the Charge" forces upon us is, whether there can be an infallible tribunal, whether such tribunal ought, or ought not, to "shut out doubt," and whether the shutting out of doubt by a regular decision, "extinguishes all enquiry." This is the question; and, in reply, a case is made out, in which, even Doctor Magee will admit, that Infallibility and enquiry are found united.

There can be no peace in any community, no order preserved in any church or state, unless there be tribunals established to which existing differences may be referred for decision; and if those differences relate to the truths which compose the Christian religion, it is quite impossible to put an end to them, or quiet the minds of the disputants, unless the decision be exempt from error. Faith is not faith if the believers hesitate in doubt, for he who doubts is already an unbeliever. It therefore, obviously and necessarily follows, that if God willed that we should believe what he has revealed, he should either reveal his will so clearly, as that no doubts could arise with regard to its meaning, which he has not done; or he should only require of us to adopt such meaning of it as appeared to us most probable—a supposition incompatible with the

nature of faith; or, lastly, he should give us a tribunal authorised to decide—so as not only to put an end to disputes and preserve order in the Church, but also which, by its decision, would exclude all doubt, *whereas doubt cannot co-exist with faith.* The existence then of an infallible authority in the Church is not a matter of secondary import, or one on which different opinions may be entertained; it is so necessary, that without it, revelation being such as it is, the Church could not exist, nor faith continue on the earth. Without this authority, the Christian religion, from its very commencement, would have degenerated into a system of human philosophy, and private opinion would have taken the place of divine faith in the minds of men. This is the result of the rejection of Church authority throughout the Protestant Churches of France, Switzerland, Germany, Sweden, and Denmark. (See Appendix, No. I.)

It is most afflicting, therefore, to find a Christian bishop denounce to the world the great and only stay of Christianity as a supernatural religion, and appeal to the pride of the human heart, to the fondest and strongest prejudices of our nature, against the mysterious but wise economy of our faith. If the wisdom of this world were not folly with God, if he had not rejected the prudence of the prudent, and the wisdom of the wise, in order to save men by the folly of the cross, then it might be reasonable to appeal to human pride, to awake the passions, and rally them in opposition to the authority established by the Redeemer.

Who, says the writer of the Charge, will submit himself to authority? Let every creature, says St. Paul, be subject to the higher powers. Who, says this Archbishop, will relinquish the right of private judgment? The arms of our warfare, cries out an Apostle, are not carnal, but

powerful of God, unto the pulling down of every strong hold—destroying counsels and every heigth that exalteth itself agaidst the knowledge of God, and bringing into captivity every understanding to the obedience of Christ. Who, says his Grace of Dublin, will submit to the decisions of fallible men? "As my Father sent me, says Christ, so I send you; going, therefore, teach all nations, and lo, I am with you *all days*, even to the consummation of the world; whosoever hears you hears me, and whosoever despises you, despises me and the Father who sent me."

Shall the high-minded and enlightened people of this country submit to the decrees of any Church, says this Christian prelate. If any one do not hear the Church says Christ, let him be to thee as an heathen and a publican, for that Church is founded on a rock; or, as St. Paul describes her, she is the pillar and immoveable ground or foundation of truth.

How can fallible men, exclaims the author of the Charge, arrogate to themselves the prerogative of infallibilty. Fear not little flock, says Christ, because it hath pleased your Father to give to you a kingdom. I will send unto you the Holy Ghost, the Comforter, he will teach you all truth, and will suggest unto you all things whatsover I will have said to you.

Follow our Church, says this Protestant bishop; and here we recognise the language of Manes; Valentinian, &c. as mentioned by Tertullian. But his Grace says, follow our Church, which leaves you at liberty to think on religion as you please, and speak as you think. Shun those, says an Apostle, who promise you liberty, but who are themselves the slaves of corruption. Choose your own religion, exclaims Doctor Magee. An heretical man,

or a chooser of his own religion, says St. Paul, after a first and second admonition, shun, knowing that such a man is subverted or cast down from the rock of faith, that he sins and is condemned by his own judgment. Who is the pope or council, exclaims this learned prelate, that we Protestants should regard them? "Know also, says St. Paul, that in the last days shall come on dangerous times—men shall be lovers of themselves, covetous, haughty, proud, blasphemers, without peace, slanderers, having an appearance of godliness, but denying the power thereof; now these avoid, as Jannes and Mambres resisted Moses, so these also resist the truth. Be mindful, says another Apostle, of the words which have been spoken before by the Apostles of our Lord Jesus Christ, who told you that in the last times, there should come mockers walking according to their own desires in ungodlines: THESE ARE THEY WHICH SEPARATE THEMSELVES. But you, my beloved, building yourselves upon your most holy faith, praying in the Holy Ghost, keep yourselves in the love of God, waiting for the mercy of our Lord Jesus Christ unto life everlasting." These latter words are the words constantly addressed to the Catholics of Ireland by their pastors.

These repeated appeals which I have noticed to the passions and pride of the world, are opposed to the spirit and essence of the Christian religion, every principle on which the author of them builds, is expressly denounced as vicious and antichristian by our Lord and his Apostles. He who employs them, assails in common with the wild enthusiasts who infest this country, the authority established in the gospel for the government of God's people, and passing by the terms of the new covenant, he endeavours to mould and fashion the Christian religion, not according to the original shewn to us in the gospel, but according to the model presented to his view by some of the worst men who ever

disgraced the church of God. The Archbishop has, in the exhibition of his system, played upon the passions and prejudices which prevail in this country—he has left unnoticed the nature and form of the Christian dispensation, the divine authority given to Peter, the Apostles, and their successors for ever—he has rejected all the precedents which the condemnaton of heresy for eighteen hundred years, presented to him—he has substituted opinion for faith—he has annulled as far as in him lay, the three creeds, and set at nought that article of two of them which teaches every Christian to believe in the Church, to believe that she exists, that she administers rightly the ordinances of Christ, and teaches his truths without error. He has done all this, and why? that he might vent his spleen upon an unoffending people—that he might perpetuate dissensions amongst brethern—that he might sustain a ..... character, and justify that volume of incoherent contradictory and discreditable testimony, which he once delivered against the creed and the rights of his countrymen. He did all this to uphold a religious system, which is supported beyond its deserts, by private interest and public law, but which, in itself, is incoherent and inconsistent.

Yes, for what can merit those epithets better than that system, the fruit of necessity and error, which sanctions heresy and condemns it, which invites to schism, and punishes it, which tells the believer to hear the Church, and teaches him to prefer his own opinion, however monstrous and absurd, to her most solemn judgments? Why a Church, thus constituted, is incoherent and inconsistent, a hulk thrown upon the waters, without helm or compass. The "furious error" of those few men who founded such a Church, and founded her as they did, after seperating themselves from the whole world, is one of those appalling judgments of Almighty God, whereby he shews the utter

impotence of human wisdom and power, and the absolute necessity of his own heavenly grace. It is this "furious error," supported by a few men, corrupted in mind, and having their consciences seared as with a hot iron, which drives the multitude into infidelity or enthusiasm. It is for this multitude, thus deceived and abused, that I lament; a multitude which seeks for bread, and finds no one to break it to them, whilst infected with error from their very infancy, they are taught to blaspheme what they do not know, and to resist that authority which they should love and revere. In all question of private right, or public interest, men almost instinctively enquire, reason, discuss; the judge or the legislative body, wheresoever it resides, examines, with a care and attention proportioned to the magnitude or difficulty of the matter before them, whatever can contribute to assist them in framing a wise law or pronouncing an equitable decision; but the law once enacted, the final judgment once pronounced, does any rational man refuse obedience to the one, or submission to the other? If then the impulse of our nature, the plainest dictate of reason, teach us in society how disputes are to be terminated, order preserved, and the public interests promoted, or secured,—whence the fatuity or blindness of the "furious men," who say that in the city or house of God there is to be no tribunal, competent to decide definitively? that in the kingdom of Christ there is to be no legislative power which Christians would be bound to obey?

Experience may indeed shew that the law of the state was not wise, or that it was susceptible of improvement, and then a new law is enacted, or the former amended or repealed. This also is precisely what occurs in the Church with regard to all things in it which are susceptible of improvement or liable to change. But as to what regards that portion of the sacred deposit which the Church cannot alter, diminish,

or encrease—that faith which was committed to her pastors, that they might guard and preserve, but not alter it:—when questions or disputes touching this faith arise, the pastors of the Church, like all other judges, enquire, investigate, and then decide; their decisions, like the decisions of all tribunals, must be as numerous as the cases in which judgment is required of them: hence, new decisions, new expositions of the law; hence new, more full, clear, comprehensive and explicit definitions of the one unchanged and unchangeable faith. Thus we find the creed called of the Apostles explained at Nice, that framed at Nice, amplified at Constantinople, that of Constantinople, rendered after the lapse of ages, more explicit, by the adoption of the word *filioque*. But these explanations are not variations, the fruit of unfixedness, as has been insinuated, but they are, as St. Basil, and Vincent of Lernis describes them, the unfolding of the same seed of faith, the developement of the same unvarying truth.

In framing laws of discipline, or any other laws which do not affect the deposit of faith, those pastors whom the Holy Ghost appointed to rule the Church, act agreeably to what nature and reason prescribe to be done in every well ordered community, by those who are charged with the rule or government of it; but when disputes which regard the faith arise, they who are commissioned to teach all nations, who are the authorized ministers of Christ, proceed, as all other judges in the last resort, do;—they decide upon the law, and declare its sense, and thus put an end to litigation. If these pastors be charged, as they are untruly and unjustly charged, with excluding all enquiry, they have only to refer, in their own justification, to the numberless councils held in the Church, wherein her laws have been altered, amended or repealed. If they be asked, why they presume to give judgment on the

disputes which arise amongst those who are to learn the law from their lips, as the prophet expresses it, their only answer is:—that they have been appointed by the Holy Ghost to rule the Church, to heal divisions, to preserve order, to promote peace, to keep the subjects of Christ's kingdom united in one body, having one heart and one mind,—in order that all who are of that body may say the same thing, and that no schisms or heresies (vices which exclude from heaven) may exist among them. If the nature or extent of the authority which they exercise be enquired of them, they reply:—that it is commensurate with the kingdom of Christ, that it is totally and entirely independant of earthly power, that it is proportioned to the nature and importance of the subjects about which it is exercised, and that the commission containing it is written in the Gospel, recorded in the councils, secured by immemorial possession, published by all history, and never disputed or denied, unless by the blind or the disobedient—by those men who either walk in the darkness of infidelity and the shade of death, or who, separating themselves, and condemned by their own judgment, have refused to hear it, and been therefore cast out among the heathens and publicans. If it be enquired why they, weak and fallible men, pretend that their decisions are exempt from error, their answer is;—we are weak and ignorant, and insufficient to think any thing of ourselves, as if from ourselves; but all our sufficiency is from God. Let men consider us, when assembled in the name of Christ, as his ministers, discharging an embassy for him, as if God exhorted or instructed his people through us. As the potter out of the same clay can make one vessel to honor, and another to shame, so the Almighty hath been pleased to take from the common mass of human infirmity, the weak and infirm of this world, and by them to confound the

wise and the strong, that no flesh might glory in his sight; he took the taxgatherer and the humble fishermen, and gave to them the power of establishing the Church—of teaching all nations, promising to be with them all days, even till the end of time; he selected one of these and made him the foundation after himself, on which his Church should be raised; he confided to him, as the just reward of his extraordinary faith and love, the care of his entire flock; he gave to him the power of binding and loosing on the earth; he prayed for him that his faith, however shaken, might not fail, but that, did he happen to fall, he should again arise, and confirm his brethren. Against the Church to be formed by those men he engaged, that all the powers of darkness—the powers of earth or hell should not prevail, until he would return to separate the just from the wicked, and complete the work for which he had first descended to the earth.

We, in union with our Head, are the successors of those men; for eighteen hundred years, we exhibit a regular and uninterrupted succession; during that time we have preached the Gospel throughout every tongue almost, and people, and nation upon the earth; we have stood together, whilst the earth has been moved and shaken, empire transferred from nation to nation, and thrones crumbled in the dust. We have been assailed by dangers from abroad, and terrors from within; our own children have often raised their heel against us, and in the midst of peace, our bitterness has often been most bitter. The calumnies and persecutions which beset our Divine Master, have ever been employed against the entire or some portion of our body; those who should support us have often deserted or defamed us, but, he who first sent us, has remained with us, and supported us in every tribulation. We pretend to nought that has not been given to us, we were entrusted

with the care of that divine faith which is one and indivisible, without which it is impossible to please God, and by which the just man liveth; to preach and to preserve this faith is our office and duty:—the code, in which the doctrines which express this faith is contained, has been confided to us; about the meaning of this code, and of the truths contained in it, Christians often differ and dispute; we are appointed to settle those disputes, because we are appointed to instruct and to rule the Church, and to give an account to God, of the souls of those who are called to believe in Christ. Were our decisions not final, we would not be competent to fulfil the duties imposed on us by our Heavenly Master, to punish the refractory, to reject the heretic, to preserve the unity of the Church. Were our decisions regarding the doctrines of faith not exempt from error, there could be scarcely any faith remaining on the earth; for there is no doctrine touching it revealed by Christ, which the malice or folly of men has not assailed. Were our decisions not conclusive, what could put an end to doubts, to anxieties and distrust? or, how would any doctrine from that which Paul of Somosata, or Arius assailed, down to the most seemingly unimportant which has ever been disputed in the Church, be finally and irrevocably determined? and, if not finally and irrevocably determined, how could the belief in any such doctrine, so brought into doubt, or discussion, ever be held on any other ground than that of individual judgment or opinion?

But if the belief of, or faith in any doctrine expressed in the code of revelation, rested on individual judgment, it would no longer rest on the authority of God; for he who thinks that he finds the divinity of Christ revealed in the Scripture, may not be wiser in the knowledge of this world, than he who thinks that no such truth is there expressed. The

opinion, therefore, which the one and the other of those two persons is supposed to hold, is only an *opinion*, the fruit of their respective judgments exercised upon the law. Such an opinion in the one or the other is not that Christian faith, without which, it is impossible to please God, and by which the just man liveth. This faith, according to the Apostle, is a gift of God, given to the believer for the sake of Christ; it is the substance or foundation of things hoped for, infused or placed in the soul of man, by the immediate operation of the Holy Ghost, and often, as in infants, without his active concurrence. It is again, as St. Paul repeats it, *the argument or* proof of those *things which do not appear* in this life—an argument or proof, not derived from our judgment, but emanating from that heavenly light and wisdom, which the spirit of God imparts. Whosoever, therefore, believes any truth of the Gospel, by the *mere* force or power of his own judgment exercised upon the law, he may have an opinion or a conviction of such truth, but such opinion or conviction is not that *divine faith*, which is the root of all justification, and without which, no man can please God, nor be a living member of Jesus Christ.

Not so in the Catholic Church, where, with baptism, the gift of faith is infused by God into the soul, and when the law, or revelation, or doctrines, expressive of this faith, and explanatory of the objects or truths which it regards, are presented to the Catholic by the testimony and authority of the Church, he assents to them as to the very word of God, and he assents to them, not by the mere power of his own will or judgment examining and approving of them, but by the power of the Holy Ghost, enlightening his understanding and guiding his will, which, through faith, worketh in him—his belief and his assent are, therefore, altogether divine.

Supposing, that afterwards, any of those truths or doctrines which he thus believes by a supernatural faith, is through his own infirmity or malice, or through the infirmity or malice of others, brought into doubt, he goes up to the place which the Lord hath chosen, and to those judges, who for the time being expound the divine revelation or doctrines of faith, he receives their testimony and judgment on the true meaning of the law; his doubt ceases, and he believes, as he first believed, in virtue of the faith infused into him by the Holy Ghost. The Church, whose authority is altogether divine, and which authority is vested in those appointed to teach and rule the people of God, exercises, in giving her judgment, no power over the law; her only business in such cases, is to declare with authority its true meaning, and, if necessary, to enforce her own rightful decision, by excluding such as would not submit to it from all participation in her communion. She expels them from within her pale, and places them without amongst the unbelievers. In deciding the doubts of her children, she will, if necessary, make great enquiry amongst the wise and the learned, and throughout all the churches; for such is the will of God, who disposes all things sweetly, and such is the precedent established by the Apostles, and followed in all past ages; but having made this enquiry, she hesitates no longer, she decides and decides irrevocably, knowing that the spirit of truth is abiding with her, and that Christ himself is assisting her pastors, guarding his own gifts, and protecting his own doctrine.

The Catholic who receives her decision on the meaning of the law, leans not upon his own nor upon any other human judgment; he believes the word revealed by God, he believes it not by the deceitful light which his own reason may shed upon it, but by the faith or gift infused into him by the Holy Ghost, and he lays aside the doubts which

malice or infirmity suggested to him, because the Church, which cannot fail, has borne testimony and pronounced her judgment for him as to the true meaning of the law. His faith is uniform, pure, unmixed with human pride or self-sufficiency, whilst the unhappy beings who confide in their own judgment are lost in their own inventions, always learning, as the Apostle says, but never coming to the knowledge of the truth. They continue tossed about by every wind of doctrine, until, having suffered shipwreck as to the faith, they sink into infidelity or are lost in enthusiasm. They may call their opinions *faith*, and their morality by the name of *religion*, but that faith which is the gift of the Holy Ghost, has departed from them from the moment that private judgment became the ground of their belief, whilst their virtues are no longer those living works which are to be rewarded with eternal life.

Such is the account we give of our authority—such is the nature of our office—such the indefeasable right we possess to give judgment in questions of religion, to preserve the deposit of the faith, and to secure against all doubt and error the people of God, and the religion of our Redeemer upon the earth. Let no man despise our weakness, for it is not we who teach or determine, but the grace of God with us. Let no man upbraid us with the infirmity of a few of our brethren, for though they had been but as the Scribes and Pharisees who sat upon the chair of Moses, yet were they of the body commissioned to teach all nations and to rule the church of God which he acquired with his blood. If worldly power or a spirit of ambition sometimes infected the sanctuary, there was always within it a holy fire capable of purifying it from all corruption. If they who were commissioned to rule and teach in a kingdom not of this world, were often led by events to accept of or assume authority in states or kingdoms not their own, impute the fault or the misfortune to

human passion or interest, to ignorance, want or necessity, but do not charge it to the account of a divine institution, the only stay and safeguard of the Church of Christ. Let the legislator or the judge who exceeded his power or authority, be acquitted or condemned by the voice of his fellow-men, but let not the power with which he was vested or the authority which he abused be annulled or rejected. If our predecessors have enacted laws or given judgment conjointly with others, in matters which were for ages mixed together, but now are no longer confounded, do not impute to the pastor the act of the baron, or to the successor of Peter the proceedings of the arbiter of empires. Above all, be careful to discern the laws of church discipline, which are always mutable or changing, from decisions which regard only the unalterable deposit of the faith, nor again suffer the opinions or doctrines freely maintained or rejected by individuals or bodies amongst Catholics, to be taken as the doctrines or opinions of the Church. Whatever is contrary to the faith or morality of the gospel, the Church of Christ *does not, believes not, suffers not;* but unity being preserved in what is defined, and charity prevailing throughout her members, she leaves to all the liberty of discussing what is doubtful, and of investigating whatever is hidden or obscure.

If infallibility then shuts out doubt, such was the will of the Redeemer, such is the necessary effect of the authority which he established, such is the prerogative required to exist on earth if faith is to be preserved, schisms prevented, and heresies condemned; such in fine is the result necessarily flowing from the promises made and the commission given by Jesus Christ. If enquiry be excluded, it is only after the final decision is pronounced, and if not then excluded, there would not be unity, nor peace, nor charity, nor humility, nor obedience, nor order, nor har-

mony in the Church. The kingdom of Christ would be like the congregations of sectaries throughout the earth, concurring only in their opposition to the truth, and hatred of the authority which condemns them all, but dissenting from each other, anathematizing each other, asserting and denying, condemning and pardoning, speaking with the tongues of Babel, and verifying by their whole lives and opinions, all that has been foretold of sects and heresies by the Apostle.

But, to proceed with the Charge; "whilst from the belief that out of the particular communion there is no salvation, not only is the adherent of that faith bound to cling to it with a blind and desperate fidelity, but if he be influenced by an ardent love of his fellow-creatures, he is impelled by humanity itself to force others by whatever means within its pale." In this sentence or paragraph, there are two propositions—the first designates, in the language of Grattan, (strangely perverted by the learned prelate) as blind and desperate the fidelity with which the Catholic preserves the faith once delivered to the saints. The second insinuates clearly enough that the Catholic must, in proportion to the goodness of his nature and the ardour of his charity, be a persecutor of all who differ from him in religious belief. This latter idea is again a second time introduced; for he who conceived it, filled with antipopish zeal, hesitates not at a superfluity of language or repetition of thought. He says, speaking of the great variety of sects which have grown up beneath the shelter or protection of the established church, "that they are an evil which the coercive system opposed to protestantism is able by a very summary process effectually to correct."

And first, in reply to those most harsh imputations, permit me to observe, that the fidelity of the Catholic to

his faith, so far from being blind, unless it be so through the ignorance or incapacity of the individual, is the most enlightened and best secured that can well be conceived—for this reason, that the Catholic possesses the most public, the most certain, the most clear data on which to rest his mind in all questions of religion.

In place of ascertaining the genuineness and divine inspiration of the Sacred Scriptures, the fidelity and accuracy of them in translations, in place of comparing the old Testament with the new, and justifying to himself whatever in the former might clash with his notions of justice, truth and sanctity,—in place of turning over huge folios of commentaries, in order to ascertain the sense of what, with all mankind, is the subject of dispute,—of what the Spirit of God designates as "hard to be understood," and again not to be "of private interpretation," in place of deciding between Marcion and Valentinian, between Arius and Manes, between Luther and Beza, between Cranmer and Hoadly, between Swift and Milton, between Doctor Carpenter, a learned doctor of that name at Bristol, and Doctor Magee—in place of doing all those difficult, or impossible things, the Catholic has only to look out for ONE, HOLY, CATHOLIC, and APOSTOLIC CHURCH, which the whole world combines to tell him is the depositary of Christian truth, and, when he has discovered her, to hear her doctrine and obey her voice. I am of opinion that in religious enquiry, there is no process by which the mind can arrive at certainty, so short, so simple, so plain, as when its reasoning is founded on facts of public notoriety. The simplicity or brevity of a demonstration does not certainly diminish its force, or obscure the evidence which springs from it; and if, therefore, the Catholic by seeing, with one glance, that the Church, in which *all* christians confess the truth to reside, is that with which he holds

communion, his fidelity to her doctrines should be great, in proportion to the value he sets on his salvation, and his adhesion to them, so far from being blind, is, in truth, the most enlightened, founded, as it is, on the most simple and brief demonstration. The Catholic but laughs at the man, whatever may be his *station*, who seeks to cushion the name of his sect, or endeavours to confound one of the branches lopped off in the sixteenth century, with the great and illustrious tree from which it fell: he feels the same pity or contempt for the first swarm of sectaries as for the second, or as he does for all and each of those that followed them.

The followers of Luther or Calvin are precisely the same in his eyes as those of Kant, or Knox, or Wesley, or any other of the numberless tribes who wander about the desert and attack the people of God as they journey under the divine protection to the promised land. He may see some senate, or stadtholder, or prince, or potentate associate himself with one or other of those sects, and bestow upon it all the wealth and dignity which law, or rapine, or conquest placed in his hands—he may see one of them preserve much of the form, order, dignity, rites and liturgies of the church, whilst another strips its members in the market-place, and presents itself to the world as a sad image of human fatuity, or divine wrath; but as to the unity, sanctity, catholicity, and apostolicity of the Church, all these sects, whether assembled in palaces, in the conventicle, on the moor, or on the mountain, are equally removed from them.

The Catholic, whilst he pities the delusion of his fellow-men, and laments, with Augustin, that the salvation of such multitudes should be placed in jeopardy by the pride, obstinacy, or fanaticism of a few furious men; whether these few be clothed in purple, and faring sumptuously

every day, or whether they be as senseless or hypocritical as the roving fanatics of our own time, the Catholic, whilst his mind is thus occupied, has no doubt or hesitation as to the wisdom and propriety of his own conduct. He finds all the world declare that there is a Church, the faithful depository on the earth, of the doctrines and sacraments of Christ; that this Church is One Holy Catholic and Apostolic, and that all are bound to hear her voice. He turns over, if he will, the records of antiquity, and finds the history of this One Church marked as distinctly as that of the empire of Persia, Greece, or Rome; he traces on the map of the world the states or peoples who compose her—his eye discovers, at a glance, the provinces which have rebelled against her, the period of their rebellion, and he discovers with equal facility the authors and abettors of their revolt; whilst the great empire of Christ, notwithstanding the defection of some portions of her subjects, continues to fill the earth, and to comprehend within her pale, tribes, and tongues, and peoples, and nations, extending from the rising to the setting sun.

He finds all those nations varying in climate, in interest, in language, laws, and customs, yet speaking with one tongue, all holding the same gospel, all saying the same thing—exempt from divisions, offering the same sacrifice, frequenting the same sacraments, all professing the same doctrine, all ruled by the same pastors, all subject to the same head—He thinks on the life of Christ, his obedience, humility, chastity, his voluntary poverty, his prayer, fasting, his zeal, his ardour and charity, his signs and wonders in the propagation of the gospel, and he finds all those virtues and graces eminently conspicuous in that GREAT Church, and in her alone, whose very name, like to that of the God who founded her, is uncommunicable to every other. If any sect or sectary approach to seduce him, he

says, who are you, where did you come from? from what heaven have you fallen? what earth produced you? have you not been born of flesh and all its lusts, as was Luther, Cranmer, and Henry; or of the will or presumption of man, like Arius, Socinus, or Rousseau, surely you were not born of God as the Church which was washed in the blood of the Lamb must have been. You say, come to me and possess the truth; but did not Manes say the same, and Simon, and Paul of Samosata, and Nestorius, and Bucer, and Beza, and Cranmer, and all the others, even to the present time.

Shew me the origin of your churches—shew how they were founded by the Apostles, or by those who persevered with them, and never separated themselves from them or the body who succeeded to them. I can number the days you have been upon the earth—I know the authors of your misfortune *who separated themselves*; the Lord warned his disciples to reject such as you; the Apostles foretold your coming, your *novelty* and *dissensions*. The impiety of your origin, your pride and obstinacy, your lies and uncharitableness designate you as men subverted as to the faith, and condemned by your own judgment. There is no unity amongst you, for you do not preach the same doctrine, worship at the same altar, participate of the same sacrament, or obey the same pastors.

You have no holiness which was not equally found in the times of heathenism—You have discarded penance and all mortification of the senses—your pride of understanding extinguishes all humility—disobedience is your original sin, which, were you washed in nitre, would continue. Wedded to this world, a spirit of poverty is unknown to you. You have scoffed at chastity, though practised and commended by Christ and his Apostles.

Signs and wonders, though promised by the Redeemer to the Church, and testified by the voice of mankind, are, with an unparalleled effrontery and disregard for all evidence, utterly denied by you. You cannot by any possibility be the people of God. Where, in what times, or countries are you found why you should be esteemed a universal people—filling the whole earth throughout all ages, from the days of the Apostles? or how can you, who came later into the world than the art of printing, pretend to any connection with the Apostles or the apostolic times. Have you not the impiety to assert, that Christ had violated his promise, deserted the church which he acquired with his own blood, delivered the beloved of his soul to idolatry, permitted error to overwhelm truth, and the powers of hell to break in pieces the rock on which he built his church? Depart, exclaims the Catholic, you are a stranger, having no share in the inheritance; a deserter, who has forfeited his honor, violated his faith, and betrayed the sacred interests once entrusted to his fidelity!

Such would be the indignant reply of the well informed Catholic to the writer of "The Charge," or to any other of a similar character or name. The Catholic not versed in language, but rich in the simplicity of his faith, feels, as it were, within him, the possession of the faith; he knows, as well as the most learned, though incapable of expressing his thoughts, that he is an heir to the inheritance promised to the children of the Church; the elements of Christian knowledge communicated to him by his pastor, his mother, or his nurse, teach him all that is necessary to be known. The Creed, the Decalogue, the Sacrifice and Sacraments which he frequents; the virtues and vices which he is obliged to practice or avoid; all these he understands, and feeling his own infirmity, he venerates the Church as the pillar and ground of truth; her lessons to him are brief,

her authority, which inculcates them, is sacred. She, herself, stands before him as a beacon on a high hill, to light his way; as a city on the mountain top, which cannot be concealed; as a great empire, standing in the midst of the earth, beautiful as the moon, chosen as the sun, terrible as an army set in battle array—extending her dominion from sea to sea, and to the utmost boundaries of the earth—sending forth her ministers to publish the Gospel of her God—to confound the wise, to humble the high minded, and, above all, to preach to the poor, and heal the broken-hearted. The simple child of this Church, turns with horror from all who would invade his faith, or lay waste his inheritance—whatever is new to him in religion is false—whatever is not Catholic, is schismatical, heretical, an evil to be avoided at the expense of his fame, his fortune, or his life.

So much for the fidelity with which the Catholic adheres to his faith, and now, as to the persecuting spirit imputed to us in "The Charge."

Certainly, this insinuation or imputation, comes with a peculiarly bad grace from a man who, nurtured in the school of Calvin, and bred in that of Cranmer, Somerset, or Elizabeth, for I know not which of the creeds of parliament his Grace professes; but such a Charge is most unbecoming a man, who, bred up in principles of the most unrelenting persecution, (see Appendix No. II.) had, himself, done more to disturb the peace of society in Ireland, to propagate bigotry, to provoke retorts, to awaken a spirit of religious dissension, than any other individual in the country—yes, I should think the man who penned the passages quoted above by me, must have mistaken altogether, or forgotten the history of the past and later times. He could not have reflected on the persecutions suffered by the Catholics, from

the Jews and Gentiles, from the Arians, Nestorians, Iconaclasts, and from the swarms of iusurgent sects in the 16th century.

But leaving his recollection of those sad events out of view, it may be safely affirmed, that the Duke of Alva was not half so lost to the feelings of nature and decency, as Cranmer and Henry; or that the cruel assassins of St. Barthelemi were not more wicked, more heartless, more cruel, than the bloody satellites of Elizabeth or Cromwell in England and Ireland; that Mary was incomparably less a persecutor than her sister—that the proceedings of Knox and the covenanters in Scotland—of the parliaments, protectors, and viceroys in this country, surpass, beyond measure, all that was ever done, not by Catholics, but by Nero, Tiberius, Domitian throughout the Roman empire, or by Pharao himself in Egypt. No, all the fiends of Milton, if let loose upon the earth, could not exceed in cruelty, impiety, and injustice, the persecutors of the Irish people. With all the records of antiquity before this Archbishop—with the shade of Browne before his face, and the walls of the temple in which he spoke encompassing him round about;—when he stood, as it were, on a tripod, and invoked the spirit of dissension, I should not be surprised if fear fell upon him and made all his bones to shake, or that a voice came forth and said, "*there will be a time for all things, and the just and the wicked shall be judged.*"

When a presumptuous man provoked the late Doctor Milner, a man whose wisdom and virtue will live for many generations; or when a man whose bigotry has outlived his genius, induced the gentle and learned Charles Butler to place in parrallel lines the persecutions exercised, all of them unjustly, in these countries, could not this

Protestant Prelate have seen how much more extended *his* were, than *ours*? and when the account thus stood against him,—when the scale was no longer poised, and that no person could mistake the side on which the excess lay, why did he return to the subject and expose himself to reproach? But a fatality seems to attend him, that he may exemplify the Gospel truth caustically expressed by Swift, "dead or alive pride will get a fall."

But his Grace alleges, that in proportion to the goodness of our hearts, and the ardour of our charity we must be impelled to *force others* by whatsoever means within the pale of our Church, and that we, by a very summary process, alluding, no doubt, to *autos da fe*, prevent the growth of those sects and heresies which the established Church shelters and protects. The Church of which his Grace speaks, must no doubt be some Church different from the Protestant Church of Ireland in 1634, which subjected to excommunication, "all authors of schism and "maintainers of conventicles, cutting them off rightly "from the unity of the Church, so as that they be taken "of the whole multitude of the faithful, as heathens and "publicans." This is no doubt, a very peculiar mode of affording to them, shelter and protection; precisely and identically the same as the Catholic Church affords to schismatics and heretics. The established Church was, and is as intolerant as any other, but the parliament which has swallowed her up, only to have its bowels embittered and its heart vexed by her, this parliament is tolerant to authors of schism and maintainers of conventicles, and and does not permit the established Church to exercise her wrath upon them. This parliament indeed delivers over the Catholics, the descendants of their own fathers, the framers of their own constitution, the authors of all that is great and good in the civil, municipal, or ecclesiastical

institutions of the country—the parliament by some hidden judgment of God, delivers over those Catholics, now consisting of several millions of their subjects, to be cast out, reviled, insulted, and oppressed by the bishops, and ministers, by the proctors, and surrogates, and sextons, and grave-diggers, of the established Church.

Doubtless, this established Church, in excommunicating "schismatics and maintainers of conventicles," is very inconsistent and absurd, for she excommunicates them for doing what she herself has done; she calls them heathens, because they, in the exercise of their judgment, reject her creed and frame one for themselves, whilst she proclaims to them that in doing so, they act agreeably to the will of God—that she can give them no assurance that her own doctrine is a whit preferable to theirs, and that Christ and herself have given them a license to think on religion as it listeth them, and speak in their conventicles as they think. This, no doubt, is excessively inconsistent and absurd in the established Church; but she is rich and powerful, and therefore entitled to indulge in all the luxury of absurdity and error.

If any one upbraid her, she orders out her proctors to decimate his corn, potatoes, and cabbages,—his lambs, his fleeces, his mint, and milk. If any one dispute with her, she compels him to build for her a new church, to fill it with stoves and pews, to furnish it with linen, surplices, bread and wine; with songsters and choristers, with clerks and beadles, with sextons and grave-diggers, and for all arrears due to her for Christmas offerings or Easter dues, she cites the heathen before her surrogate, *and, judging in her own cause*, gives to him the full benefit of fees, decrees and costs.

If her absurdities be hinted at, she points to her long lawn sleeves, her gilded palaces, her trains of equipages, her millions of acres, her tenths of two kingdoms, and, in the language of a bloated epicure, says, "You vulgar cynic, how can I be wrong?" Should he laugh, as I am sometimes obliged to do, at her ignorance, her insolence, her pomp and pride, she opens her armoury, more stowed with weapons than a star-chamber or inquisition—more ill-savoured than a lady's dressing-room, and lets loose upon him a whole legion of her satellites, having one hand armed with calumny and sophistry, the other filled with newspapers, tracts, pamphlets, reviews, replies, rejoinders, charges, sermons, speeches! With these the heathen or publican is at once oppressed, and if he learns not to revere the wisdom, and respect the power of the Church, he will at least learn to protect his own person, and to preserve, by silence and submission, under whatsoever injustice or wrong, any property which he may be suffered to possess.

But then, nature and grace impel the Catholic to persecute! They who say so, know not the spirit in which Catholics are called, and it is because they know it not, that they cannot judge of its nature or estimate its influence. Could not the Redeemer, by an irresistible grace, by an infringement on the liberty of human will, or by arming millions of men and angels in his cause, propagate at once his religion, and preserve it by similar means against all trial and temptation? But no; he disposed all things sweetly, so that he left to abide in darkness and the shadow of death, such as would not be saved by preaching, accompanied by signs and the folly of the cross; this was the plan of redemption by him who came to repair the ravages of sin, but not to alter or infringe on the works of the Creator.

So that God, who instituted the Jewish commonwealth,

and commissioned the high-priest or judge to punish with death certain violations of his law,—when *that* covenant was abolished by him, and another instituted in a kingdom not of this world, he might, if he had pleased, have given similar power to its rulers; but he did not do so: he gave to them a new spirit—a spirit, not of fear or force, but of humility, long suffering, and love;—he sent his ministers of this new law to preach and to baptize, to forgive or to retain the sins committed against heaven; he taught them, by word and example, to leave human institutions undisturbed, to submit to every constituted authority, not to resist injury, to overcome evil by good, and to receive, with the kiss of peace, even those who would traffic in their blood. He shewed to them but too clearly, that the times of violence and revenge had ended; he pointed out the only just and lawful means of making converts to his faith, and, foreseeing that *heresies should come*, he described their malice, but desired that those guilty of them, should be left bound in their own miseries, and subject to the only punishment of being placed without the Church. Thus were his Apostles instructed; thus was the spirit of their calling left to operate; in this manner did the Church always act and ordain. Even when an unholy alliance had bound her to the earth by associating her with thrones and empires, her pastors never forgot that meekness and mercy were the attributes of their religion, and that punishment, not of a spiritual kind, was reserved for the power of this world. If then, the feelings, the zeal, the charity of Christ, or of his Apostles, or of those holy men who walked in their footsteps, did not impel *them* to seek for the conversion of their fellow-creatures, by any other means than those of preaching, of prayer, of signs and wonders; if the only punishment resorted to by them was, that of exclusion from the communion of the Church, there is no reason why the author of

"the Charge" should assert, that we, who profess their doctrine and glory in following their example, should, like the Pharisees, go over land and sea to make proselytes by the violation of every right human and divine; or punish those who separate themselves, and form conventicles apart, by what his Grace intimates under cover of the words, "*whatsoever means.*" Were our notions of brotherly love, and the impulses of our nature such as malevolence suggests them to our opponents, surely it would be impossible to account for the conduct of those Catholic states, which in all parts of America and Europe, (to the disgrace of England be it recorded,) cherish all their subjects alike, without distinction of worship, or of creed. What was it but the genius of the Catholic religion, always allied to sound policy, and the charity by which we love our neighbour, whether Jew or Gentile, which operated with the Catholics of Maryland, of Bavaria, of Hungary, of Austria, of France, of Switzerland, to abolish the barbarous system of disfranchisement on account of religious belief? What is it but the consciousness of injustice, or the innate weakness and inconsistency of any church, which can require in the present times that she be fenced in with laws, and terrors, and rendered secure, not by her own truth and virtue, but by the oppression and humiliation of those who refuse to bow down and worship her like some golden calf. Let the Church perish that thrives by oppression, and visits with temporal penalties the consciences of men!!

Doctor Magee quotes Tertullian, whilst yet a Catholic, where he says, *non est religionis religionem cogere.* "It becomes not religion to constrain belief." This was the maxim of Ambrose and St. Martin, who refused to hold communion with some Spanish ecclesiastics who had concurred to inflict punishment on the Priscillianists, a race of wicked enthusiasts in Spain. It was the maxim of

Augustin, in his endeavours to protect the Donatists from the fury of the satellites of the Emperor, who, like the Orangemen of our days, deluged their native country with the blood of those whom they robbed and oppressed under the pretext of religious zeal. But Tertullian, rigorous and austere in his nature, became scandalized at the patience and mercy of the Church; he upbraided a Pope with his excessive clemency in admitting sinners to be reconciled through penance; he proceeded to deny, that all sins could be remitted, even to him, who with a contrite and troubled spirit, offered his whole heart to God; he became a Montanist, because he would not, in the true spirit of catholicity, be merciful to his fellow-man. Strange to find this Tertullian, quoted by Doctor Magee, where this prelate speaks of the intolerance of the Catholic Church; but so it happens, that wisdom is justified of her own ungrateful children, that iniquity often lies to itself, and that our enemies, like Balaam, are made to bless us or plead in our justification.

Persecution, truly, then, is no portion of our creed; we assail errors, but we spare the victims of delusion. We arraign vice, but we pardon and embrace the sinner; the arms of our warfare are not carnal but spiritual from God, and when after the example of Christ, of his Apostles, of Cyril, Jerome, Gregory, and Augustine, we expose the hypocrite, and denounce the furious incendiary, we pity even their misfortune, whilst we feel nought but the most tender charity for the multitude of men, whom they often, alas, too successfully labour to delude. For these we hope, for these we unceasingly offer up our prayers to the throne of grace, that the Father of lights, from whom every good gift descends, may illuminate their darkness, correct their errors, dispel their illusion, pardon their trespasses, and bring them to the possession of his everlasting rest. If

there be one class of my countrymen whom I love more than another, they are they, who, in addition to the heavy yoke of human misery which we all bear, are kept in ignorance of the truth, by those furious men who, themselves not satisfied with erring, are, in the language of the Apostle, constantly driving others into error.

It is upon the ground of intolerance, and the persecuting spirit falsely attributed to Catholics, that this Archbishop invokes the Prince and the Legislature to continue the oppression of his fellow-subjects; and here I recognise in his voice, the voice of Ursacius and Valens, two Arian bishops who opposed the faith of Nice. Two "furious men," who instructed the emperors, sons of Constantine, that they were entitled to judge in matters of faith, to prescribe a creed for their subjects, and to persecute by unjust and cruel laws, all those who adhered to the Catholic and Apostolic faith. The empire was deluged with blood, its strength and energy were wasted, its enemies acquired confidence, its provinces shortly afterwards revolted, and the whole fabric of its power and greatness gradually fell to decay. Ursacius and Valens died, and left after them an ignominious name. The princes who were duped by their counsels, forfeited the glory acquired by their father, and by themselves in their youthful days—they left after them a government in disorder, an empire wasted by dissensions, a human church which perished after them, whilst that which they oppressed, was preserved by the divine protection, and transmitted their names and their errors, with her own sufferings, and her final delivery, through fifteen centuries, even to our own days. Had the emperors disregarded the counsels of a few, vain, ambitious, and furious men, had they not put their hand to the censor, an office which the Almighty had not pleased to assign them, had they permitted truth and falsehood to contend alone,

and only laboured to promote equally the happiness of all their subjects—had they done this, unity and strength would have dwelt in their empire, victory would have followed their standard, and they, or their children, would not have witnessed the miseries of their people, nor the coming ruin of the Roman name.

History has been written for our instruction; we should profit of its lessons, and in place of traversing a whole province, as Dr. Magee has lately done, with the torch of religious discord flaming in his hand, casting brands of fire through an inflammable population, we should attend to the duty of preaching peace and good will, and, when going about, endeavour to imitate the example of him, "who, as St. Peter beautifully tells us, went about doing good."

Were I an archbishop entitled to visit the dioceses of suffragans, I would consider the end for which such visitations were originally instituted and ordained by the Church. In her ordinal I would discover, that among other duties of a spiritual kind, it behoved me "to enquire and ascertain how the churches within my jurisdiction were regulated and conducted, both as to their temporal and spiritual concerns—that the buildings and ornaments belonging to them were kept in good and sufficient repair, that the sacraments were administered, and the Gospel preached. I should ascertain what was the conduct and morality of the ministers and people, whether the laws and constitutions of the Church were observed—whether public offences against order or good morals prevailed, and when this was done, and that I had explained and enforced the duties of all concerned, and applied such corrections or remedies to existing evils as I was enabled to apply, then would I consider myself obliged to expound, even briefly,

the law of God, and teach the clergy and people, as the ordinal expressly requires, that "they were bound to turn away from evil and do good, to fly from vice and follow after virtue, *and not to do to another, what they would not that another would do unto them.*" These are a short summary of the duties which a bishop or an archbishop should discharge upon his visitation. Were dissensions, heresies or superstitions found to prevail, he should labour to restore union, to expound the faith in charity—not reviling nor blaspheming; and to remove superstitions, —those noxious excrescences—by displaying the beauty, usefulness, and simplicity of true religion. Such was the manner in which bishops and archbishops proceeded in those times, when they went about doing good, encompassed with the love of their people, covered with their benedictions, and blessing them in return; such was their practice in those times of simplicity, piety, and peace, when those mouldering cathedrals, wherein the bat and owl now contend for possession with the bishop established by law, were first raised and consecrated to the service of the living God,—those mouldering cathedrals, which when one visits now, and hears a prelate bellowing polemics, and breathing war, he involuntarily heaves a sigh to heaven, and, in silence ejaculates, *O domus antiqua quam dispari dominaris Domino.*

We should all take lessons, from the times that have gone before us; for what is there, as Solomon observes, but what has been, or what will be, but what has already happened.

That philosopher of Florence, whose name is odious, but whose maxims and rules seem to be adopted by the generality of states-men, and by none more carefully than by those who have so successfully divided, and thereby

ruled Ireland with ease and rigour—this philosopher observes, and most justly, that there are times when men in power should revert to first principles, and rebuild upon the first foundation. There never has been a period, when the adoption of this maxim by the legislature of this country would be more useful, if not necessary, than the present. Did they but revert to the first principles of policy, and, in conformity with one of those principles, let their subjects, without fear or favour, exercise their own judgment in the selection of their religion, did they but permit one man to think, that by preferring the judgment of the Church on rules of faith to his own, he might best arrive at truth—and allow another to abound in his own sense, unrestricted by all authority,—did the legislature but adopt one of the first and plainest principles of human and divine right, they would put an end to many bitter contentions, they would silence many "furious men," they would secure the confidence and affection of all their subjects; for those subjects would see in them, not the tools or partizans of party in the state, but the legislators, the protectors, the impartial arbiters of the entire people. Under a legislature so ruling, there would be union and strength, a national feeling, a national interest, and a national pride. A society so governed would, if its abuses in other respects were not gross and incorrigible, be a mass of amalgamated power, which all the force of this world could not break down.

The writer of "the Charge" proceeds to combat the error of a sovereign, who would ally the Catholic Church with the state.

Would to heaven that no such alliance ever had been formed!

If any danger existed, that such an alliance would

ever be revived in these countries, I would most cordially combine with the writer in denouncing it as one of the heaviest calamities (except, indeed, one other now existing,) which could befal the empire. For I am not so eaten up with the pride and prejudices of a high churchman, as to prefer the aggrandizement of what is called "Church and State," to the freedom and happiness of the people; nor am I again, so bad a christian, (whatever Doctor Magee may think to the contrary) as to desire to see Catholic bishops clothed in purple, faring sumptuously every day, the *Assentatores* of the great, the *Cubicularii* of of the palace, the intriguers of the court, the pest of the senate. I should be tempted to remove the cross, and set up the crescent, if I saw the chief ministers of my religion, derive their commission to preach the word, to administer the sacraments, to rule the Church, from any source that was not pointed out and established by Christ; if I saw them receive the rule of faith from the hands or the tongue of any king or minister, or other, to whom it had not been originally confided by the Redeemer.—I should desert them as wolves in sheep's clothing, if I saw them devour the pittance of the widow and the orphan—if I heard them denounce peace, and preach dissension—if I observed them involved in unceasing contradictions between their practise and profession—reviling the most exalted virtues practised by Christ, and recommended by his apostles—heartless to the poor, insolent to the oppressed, slaves to power, and buried in all the surfeitings of a worldly life.

All these evils, at least in some degree, I would apprehend to follow in those degenerate days, when the charity of many has waxed cold, if by an alliance with the state, the pastors of the Catholic Church were exposed to temptation. No! were a spirit of proselytism stronger in my

mind than a love of country, I should say to the present established union of Church and State, *esto perpetua*, and pray to God, that the Catholic priesthood and people might continue just exempt from tyranny, but excluded from all places of power, emolument, and corruption.

I bear about me, however, much stronger feelings as an Irishman, than as a man addicted to s certain profession; and, though I "believe in the infallibility of the Church," and bear "my intellect enslaved," and "wallow in the slough of a slavish superstition," yet, am I so profane, and so free in will and thought, as to desire, that all religions were alike protected by the state, that she respected them all, and favoured none; that she left them to the exercise of their own energies and zeal; and remained perfectly regardless of their respective excellence.

If ever the maxim of the Stuart, "no bishop, no king," had any foundation in truth, and I believe it had not, it is not true at present, nor can it be true in any country where the legislature holds its sittings before the eyes of the nation, where the judicial authority is independent of the throne—where the tribunals of all description are open to the public praise or censure, and, where a press, unshackled by censors, disseminates knowledge, and gives power and effect to the general sentiment and will. In such a country, no union of Church and State is necessary, no combination of artificial power is required, no juggling of ascendancy—no corporate monopoly—no unhallowed commixture of what is human with what is divine. The liberties and happiness of all the people should be the basis of such a state, the administration should be pure, and always directed to the public good, and the king of such a country, encompassed with

the affections, guarded by the glory and interest of his people, would not require the aid of any bishop to support his throne. Bishops, indeed, would be useful to him, as would the soldier, the merchant, the mechanic, the labourer in the garden or the field; all would be useful, because each would be labouring in his own department, enjoying security of person and property, under the protection and guardianship of the common king. In such a state, the Catholic Church, and every other church or sect might hold its assemblies, preach the Gospel, and minister its rules in peace; they might exclude from their respective temples, and place abroad among the heathens and publicans, if you will, all those who dissented from their doctrine, or disbelieved their creed. But the prince and the legislature, whilst it yielded them protection, should see that they troubled not the public peace, and, in place of arming them with earthly power, to inflict vengeance on dissent, or to oppress with temporal penalties, the brother who might disobey—it should teach them all that the kingdom consigned to their care was not of this world, and that the loyal and industrious heretic was as acceptable to the state as the most orthodox of any, even the most exalted communion. In a community so governed, every religionist would be attached to the throne, the Catholic and Protestant churches would be alike harmless or useful, neither the one nor the other could ever encroach on the state, and if any sect or church exalted herself beyond her sphere, the public censure, independant of all other power, would strip her of her arrogance, and compel her to recede. I verily believe, that his Grace of Dublin, corroded with fruitless care, occupied with strong prejudices, and removed, as he has been, from a little literary eminence, on which an abused public had placed him, I think his Grace, thus circumstanced, can scarcely esti-

mate the few truths I have here submitted to my readers, and that he will continue all his life to speak or write confused essays on the excellence of the established Church, and to tremble before the bugbear of popery. But, I hope, that there is enough of sound sense and deliberate wisdom remaining, even in Ireland, to estimate his efforts as they deserve.

"The monarch," he says, "cannot prescribe in favour of an intolerant religion." I say, he has allied to his throne, a religion as intolerant as any in Europe; as a proof, see her creeds, her articles, or the bill of indemnity by which these are neutralised; I do not refer to the popery laws, all of which are the fruit of her spirit.

All religions are intolerant to a certain degree, and must be so; but as their intolerance, if not adopted by the State, consists in excluding dissenters from their communion; it can do no injury to a prince who honors religion, and secures to each of his subjects the right of worshipping the Almighty as his conscience or caprice happens to dictate. What injury does the king sustain from the "Religious Society of Friends," who sometimes exclude a member from their communion, because his hat is not of due dimensions, or his coat fashioned after the costume of William Penn? Is "the Friend," when cast out among the publicans, a less useful or loyal subject than he was before?

"The prince cannot prescribe in favor of a religion, which denies the right of private judgment, and that exercises (thereby) a dominion over conscience." The Catholic Church does not, cannot, prevent any man from exercising his right of private judgment in the choice of his religion; but when any man professes to be of her communion, she

retains him within her fold, only on the condition of preferring her common creed and liturgy to any other which his fancy might desire. Should he form a sect or maintain a conventicle apart, she places him where he has placed himself, that is, abroad among the heathens. She *can* do, she *attempts* to do no more.

If a man do not subscribe to the thirty-nine articles of religion in the established Church, or if assumed to office or place of trust, he do not swear certain oaths, and subscribe to certain declarations, which, in the most august assemblies, in my own hearing, and by some of the most exalted characters in the country, have been designated as LIES; he is not only liable to be placed among the heathens, but he is disgraced and injured in all his wordly interests and pursuits. The Bill of Indemnity comes to his relief if he be not a papist, but this bill is the act of the parliament, not of the church. The right of private judgment, as allowed by the established Church, was a sort of an apology for her own revolt, and a sacrifice made to the Baal of Puritanism; but it is opposed to the letter and spirit of the Church creed, as well as incompatible with the Gospel, which foretels of heresies and schisms; for if the right of private judgment, in opposition to the declared decision of the Church exist, it is utterly impossible that heresy should be damnable or schism a crime. Every church then, that excommunicates authors of heresy, that is, men, who exercising their right of private judgment, choose their own religion; or which casts out among the heathen the maintainers of conventicles, (all which the established Church does,) is guilty (if guilt it be) of denying the right of private judgment, and of exercising thereby a dominion over conscience. Whether the Church doing so, claim infallibility or not, is nothing to the purpose; her

judgment and the effects of it to the excommunicated persons are the same.

I fully agree with the most reverend writer of "the Charge," that the prince ought not to wed his throne, or his office, or his laws, to any church; but that observing the religion which he thinks most acceptable to God, he leave all the Churches to travel towards heaven, restrained in their excesses, but at the same time, protected in the exercise of their ministry, by the laws.

"The prince," says this writer, "being bound to employ a free judgment upon the written word of God, in order to ascertain that what he proposes for the instruction of his people, is not inconsistent with that word, he cannot deny to them the same freedom of enquiry."

This sentence has within it an absurdity, to wit, that the prince has a right to determine for his subjects, what is, or is not, inconsistent with the written word of God, and that this right of his to exclude or propose any particular religion to his people, is the same which each of the people is supposed to have to choose his own religion. It is, I say, absurd to assert, that the prince has a right to exclude a religion which he supposes to be inconsistent with the word of God, and that each of his subjects, at the same time, has a right to choose his own religion. For what would follow, if the subject thought proper to select for himself that Catholic religion which Doctor Magee would wish the prince to exclude as inconsistent with the word of God? Where in that case is the right of the subject? Again; when the prince is vested with a power to exclude certain forms of religion, has he?—will he?—has he ever stopped at that point? Will he not propose his own creed,

whatever it may be, though it were as absurd as that of Cromwell, to his people?

But all this paragraph is silly, and the produce, not of reason or revelation, but of antipopish zeal and a devouring religious prejudice.

The king of a Christian state has no right to prescribe a religion either negatively or positively to his people, though he may be empowered to protect that which the people themselves have chosen. His kingdom is of this world. He received no commission from Christ to teach or define tenets of religion. He has got power to rule all estates within his realm, (if, as formerly, but not at present in this country, the laws did not exempt a certain class from his jurisdiction;) and to restrain with the civil sword, the stubborn and evil doer, whether he be lay or ecclesiastic. This is the power, the *just* power of the prince. No power to prescribe a religion to his subjects, or to judge in matters of faith, can by any possibility be attached to the kingly sceptre. Whenever the prince attempts to do so, he usurps the right of others and exercises a tyranny over conscience.

The principle then upon which Doctor Magee rests his argument being unsound and fallacious, the consequences deduced from it deserve no attention. The tyranny of Henry the Eighth must be defended, the murder of Moore and Fisher must be justified, all the cruelties of Elizabeth must have been acts of justice, the refusal of Charles to permit the Scotch to select their own religion must have been sound policy, the establishment of the Kirk in that country by William, the alteration consequent thereon in the oath of supremacy, all these acts and proceedings, as well as the discontinuance of the test laws, and the annual enact-

ment of the bill of indemnity, must be opposed to the right and duty of the sovereign, to the religion of Christ, and the public interests, if the learned prelate's position be just or true. Not only that, but if his positions be true, the despotic power of kings is of divine right, passive obedience an indispensable duty of subjects, and bodily and mental slavery the inheritance of the people of those realms. Yes, for what despotism can be more perfect than that wherein the monarch can prescribe a religion for his subjects and enforce it with the civil sword? What obedience more unqualified or passive, than that whereby a right to resist the violation of his conscience is denied to the subject? What mental or bodily thraldom more consummate than that of the man who is obliged to receive his creed from the executive power in the state, and that executive power residing in the same person, who has also the chief share of the legislative authority?

Montesquien observes, that in Spain, since the time of Philip the Second, the only barrier to perfect despotism, existed in the partial independence of the church; and that in the Ottoman empire, the Mufti alone could oppose any stay to the absolute will of the sovereign. If in our country there was no stay to despotism, no guardian of liberty but a church whose creed and discipline the monarch could prescribe and regulate, we should enjoy all the blessings of a monarchy as absolute as that of Ferdinand, or of an empire as despotic as that of the sublime executioner of the Greeks. The civil liberty and the true religion of a country are greatly impaired by any union of the church with the state, but when the chief magistrate is vested with a power of framing creeds and forming churches, then true religion can only be preserved by a special interposition of providence; and civil liberty, if it survive, can only be continued by some power or powers in the state, counteracting the power of the prince.

It is not, therefore, the degree of authority claimed by any church in her decisions upon religious controversy, nor the width, nor the narrowness of her road to the kingdom of heaven, which can in any manner or degree affect the liberties of a people or the rights of a sovereign, but it is the union of any church with the supreme civil power, which augments that power, and also detracts from and endangers the liberties of a people. But if a church not only be united to the supreme power, but that the depository of that power can suppress her councils, annul her convocations, alter her creed and discipline, then she is enslaved, and though she may, like the whisperer who stands behind his master's chair, and poisons his ear with slander, effect much mischief, yet is she totally incapacitated from effecting good, otherwise than as the mere menial of the state.

But then, as to the attributes or characters which Doctor Magee assigns to the established Church. He says, she is Protestant, and so she is, nor do I know that any person has ever questioned her right to that appellation. To deny that she is Protestant, would be just as senseless as to deny by circumlocutions the catholicity of that great and universal Church from which the established Church separated herself, and against which she has vainly been protesting for three hundred years.

The Reverend Prelate continues, "This is the primary character of the established Church."—In this we are fully agreed!

"Maintaining the paramount authority of the Scriptures."

No; for she admits that the parliament has a power to alter the religion of the land; it is the Catholic Church

which maintains the paramount authority of the sacred Scriptures, declaring that no power on earth, either church or parliament, can interfere with the religion revealed in them. The next difference between her and the established Church on this subject is, that when doubts arise on passages of the Scripture, difficult and hard to be understood, the Catholic Church decides the meaning of them by the judgment of the Catholic world, to use a phrase of St. Augustin, expressed by her chief pastors, whilst the established Church leaves such doubts to be decided by the private opinion of each individual.

"Maintaining the right of private judgment."

The Catholic Church assists and directs this judgment; the Protestant leaves it to be tossed about by every wind of doctrine, or to be led into error or absurdity by those frantic enthusiasts, or those wily crafty-men, who lie always in wait to deceive the unwary.

"Maintaining the supremacy of the sovereign."

Is it that spiritual supremacy which, until the oath was changed in the time of William, all were obliged to swear that he possessed—that supremacy which Cranmer assigned to Edward the Sixth, whereby he made the crown the source of all the powers of a bishop, as much as it was the source of the powers of a sheriff or of a general of division? If so, no Catholic could maintain such an impiety. Or is it that supremacy whereby the Sovereign is entitled to rule all degrees and estates within this realm, and to punish with the civil sword the stubborn and evil doers? if this be the supremacy which the Charge assigns to him, and that it be fairly and liberally understood, I see no reason why any person should withhold it; but if it be augmented into a

right to interfere with the freedom of the Catholic Church, or the essential and inalienable rights of the bishops and clergy in union with their head, to rule that church over which the Holy Ghost placed them, as Paul testifies, by their preaching the gospel, by their administering the sacraments, and exercising, when necessary, the power of excommunication, then do we differ from all those who would assign it to the sovereign.

"Maintaining the supremacy of the sovereign in opposition to the Church of Rome, which held and imposed tenets in direct opposition to all; it abjured the fundamental errors and despotism of that Church, and with them the multiplied corruptions and abuses which they had engendered."

This is the language of a man accustomed to repeat the most offensive calumnies, without attempting either to uphold them by argument or to justify them by even a plausible misrepresentation.

"And so having purified them from the dross of superstition, and having restored religion to the true and ancient Catholic standard."

Religion clearly could not have departed from the church, nor from the true and Catholic standard, whatever the learned prelate may understand by that "standard," unless the spirit of truth departed from the earth, or that Christ failed in his promise of being with his Apostles in the persons of their successors, ALL DAYS, even to the consummation of the world."

"It (the Protestant Church,) became worthy of adoption by a government that had the valour, &c."

What then? Does the archbishop take to the account of the Church, the cruel, the bloody, the disgraceful, the horrid scenes in which she was made to act so conspicuous a part in the times of Henry, Somerset and Elizabeth?

Was the denial of the pope's supremacy the act of the Church? was the divorce of Queen Catherine the act of the Church? was the bastardizing of Mary, the lawfulness of Anne Boylen's marriage, with all the subsequent divorces and marriages of the monster Henry, were these the acts of the Church? or if they were, was the reconciliation with the Pope through Cardinal Pole, or the subsequent recantation of it under Elizabeth, the acts of the Church? were the several creeds of Cranmer, whether under Henry or Edward, acts of the Church? were the backslidings of the bishops in the time of Charles, acts of the Church? or was it only in the days of his profligate son that she proved worthy of adoption by the government?

It is truly astonishing to find men in those times, hazarding before the public, assertions which must prove them either profoundly ignorant of past events, or totally reckless of their own literary character, as well as of the character of that Church, which, like a man of low or questionable birth or descent, is best protected by silence and forbearance.

There is no person in this country who knows any thing of past times, who does not know that the despotic Tudors changed the religion of the country, remodeled the Church, prescribed to her a creed and discipline, and made her the very hand-maid of the state. The feeble efforts which mark her place of servitude under the Stuarts were the effect, not of any virtue or independence which she retained as a Church, but of those feelings and passions, (many

of them laudable,) which at that period animated the bulk of the nation, and from which even the churchmen were not exempt.

"The Established Church is loyal," who doubts it? where is the *pampered slave* who is not attached to his master; whosoever has a servant under his orders, says to him, go, and he goeth, come, and he cometh, and if he know the will of his master and doeth it not, he will be beaten with many stripes; yet, when he has done all that was assigned to him, he is still but an unprofitable servant.

The Catholic Church is also loyal—but she is loyal through a sense of duty, and because such is the line of conduct prescribed to her by Almighty God. She is devoted to the prince established by divine Providence, not through fear or necessity, but freely and chearfully; in every country, and under whatsoever circumstances, she offers up, as is prescribed by St. Paul, prayers and petitions for the king, and all that are in high station, that all men may lead a quiet and holy life. To impugn the sincerity of her children in this country in praying for the monarch, and bearing towards him the most sincere devotedness of mind and will, is one of the most unworthy deeds of which any person, lay or ecclesiastic, could be guilty.

The insinuations in the Charge respecting a division of allegiance, and the insecurity of that which we owe and pay to the sovereign of these realms, are SLANDEROUS AND MALIGNANT. They are founded on no facts, supported by no proof, they are contradicted by every page of our history, by the preambles of divers acts of Parliament, by the statements of our friends, the confessions of our enemies, by the senate and the ministers of the king. I omit our

own oaths of allegiance, which are incompatible with a division of allegiance, because I cannot submit to vindicate myself or my fellow-countrymen from the imputation of perjury. It is the grossest insult which men were ever condemned to endure.

I shall never again condescend to argue this subject. Let the man who has read history, and observed the conduct of the Catholic clergy and people in the different states of Europe for the last three centuries, and yet harbour this opinion, remain in his prejudice. Let him, if he will be the foe of our civil liberties on this ground. Whilst he retained such an opinion, I should hesitate to receive any favour at his hands, for if I did, I should receive it from the hand I scorned.

But to such a man I would say, not that the allegiance of the Catholic is undivided, but that should the Irish ever violate their allegiance, they will do so, not as Catholics, but as men driven by a cruel and protracted tyranny to take refuge in dispair. Some individual of them, stripped of his property, banished from his home, his religion scoffed at, his sufferings reviled—some such man may wrest the child of his heart from the hands of the proselytizer, or the embrace of her persecutor—he may take her to the forum, plunge a dagger in her heart, and set a nation on fire by the sprinkling of her blood. In such a case conscience is silenced, the duty of allegiance is erased from the heart, and he who but just before was a good christian and a loyal subject, now agitated by revenge, becomes savage as the tiger; he despises life, scoffs at danger and at death, and slaking his thirst with human blood, exclaims with Cato:

> A day, an hour, of virtuous liberty,
> Is worth a whole eternity of bondage.

To this terrific consummation this devoted country may be driven, if such opinions and principles as are promulged by Doctor Magee, become rules of thought and conduct with those who should consult her peace. And those men who are now reviled, because they endeavour to direct the storm, which already blows too strongly, will be praised by posterity for their efforts, however fruitless, to save a sinking state. Whosoever, in times to come, will walk across the solitude into which this country may be turned, whilst he sighs over the fate of its past inhabitants, will join the voice of their blood in crying to heaven for vengeance on those heartless, ruthless men, whose continued and implacable injustice, had arrayed brother against brother, and *settled* their native country by converting it into a heap of ruins.

The observations of Doctor Magee, with regard to the difference of the christian doctrine as taught in the Catholic Church, and in the Protestant Established Church of the united kingdom, are not, probably, a fit subject of animadversion by me. The Archbishop has thought proper to hold forth to the public, the writer of a letter to Mr. Robertson on that subject, as a person who acted "insiduously," who "misrepresented the truth through interested motives," and did I undertake to repel such charges, I would seem to confess that they were credible, and that deceit, or a wish to misrepresent the truth could possibly find a place in that writer's breast. I might, did I dwell on this subject, also appear to vindicate the private opinion of an individual, rather than to refute the misrepresentations of the common creed and principles of Catholics which abound in "the Charge;" but individual selfishness has not, thanks to God, so far prevailed over my sense of duty, as to induce me to mix up the personal concerns of any person with the public interests. I shall, therefore,

leave this question to the cool and discriminating mind of Doctor Lawrence, who is treated by his brother, on this subject, with much less courtesy than his virtues or his station seemed to demand.

His Grace of Cashel has indeed, when treating of this subject on a late occasion in Limerick, endeavoured to make his opinions acceptable to a certain class, by noticing with less than his usual candour, a passage in a book quoted by his Grace as written by me. I say with less than his usual candour, for when adverting to the progress which infidelity had made during the last century, and contrasting for his purpose the state of a Catholic university on the continent, with that of the public seminaries in these countries, it should not have escaped his Grace, that lords Herbert and Boulingbroke—Blount, Collins, Hobbes, Shaftsbury, all English Protestants; Spinosa, Bayle, Rousseau, and, as I believe, also Helvetius, French or Dutch Calvinists, were the authors or importers of infidelity on the continent;—that all the Protestant seminaries there, without even an exception known to me, became, and *continue to this day*, infected with the principles alluded to, and that if those principles were not permitted to find a resting place in these countries, their exclusion was much more due to the eloquence of Burke, the vigour of Pitt, the jealousy and hatred of French domination, under the mask of liberty and equality, than to the genius of the Protestant religion, or the dispositions of a great portion of the then population of the empire. But however I may differ in opinion from Archbishop Lawrence—however I may lament, that in the House of Lords, his Grace of Cashel has been more influenced by his connexions than by the native impulse of his heart—however J. K. L. may have designated his latitude of belief, I shall always respect his talents, venerate his humane, benevolent, and pacific disposition, and though

he be a member of a new religion, I shall always say of his Grace, as Protestants were accustomed to write of S. S. Bernard and Xavier, *utinam cum talis sis noster esses.* His Grace is too well informed to look upon it as degrading to have the

Nova superstitio veterum ignorata deorum.—VIRGIL.

restored to the rank and dignity of an integral portion of the Universal Church; and however impracticable such a restoration may appear to his Grace, without doubt, he must consider it as one of those beautiful speculations eminently good and supremely desirable, though not, in his opinion, compatible with the infirmity or perverseness of this world in which we dwell. His Grace may not see a difference which could not be remedied between the rules of faith in two Churches, *one* of which declares such rule to be the word of God as proposed to the judgment of each individual, by the Church; the *other* presenting it as the word of God interpreted by each individual, but subject to the authority of the Church, she being authorized to excommunicate whomsoever dissents from her interpretation of it. About what is, or what is not the word of God, there may be an essential difference between the Churches, but as to human traditions being added to the revelation of God, or erected above it, as is set forth in "the Charge," his Grace knows that such assertions are unfounded, nay, that they flow only from minds in which the passions have established their empire.

It is equally well known to his Grace, that of all the doctrines of both Churches, said by Doctor Magee to be opposed to each other, there are several, to say the least, rendered so by the distorting comments of furious men, rather than by the spirit of union and of peace.

A singular instance of the nature and tendency of such comments may be seen in a pamphlet, signed *N.* and written by some very grave personage, as a comment upon the late Charge of his Grace of Cashel.

In this pamphlet the doctrine of Catholics, regarding original sin, justification by Christ, the nature of good works, is grossly misrepresented. No man of learning, however, or of equity can be imposed on by such fictions; and as to the multitude who are deceived by them, and so kept not only estranged from their brethern, but in a state of accrimonious hostility towards them, they must be objects of compassion to Doctor Lawrence, and to every good man who believes that the God of the christians is a God not of dissension but of peace. Doctor Magee may declaim against the "numerous and deadly errors of the Church of Rome," but declamation or bold assertion is not proof; and every man of sense will question the veracity or justice of censures so severe, until he finds that they are sustained by authority or proved by argument. I not only deny that there are "numerous and deadly errors" taught by the Church of Rome, or by any Church in communion with her; BUT I ASSERT, THAT, IT IS IMPOSSIBLE TO PROVE FROM THE SACRED SCRIPTURE THAT ANY ONE ARTICLE BELIEVED OR TAUGHT BY HER OR THEM, IS FORBIDDEN BY, OR CONTRARY TO THE REVEALED WILL OF GOD: Nay, more, I assert, that there is not one article or doctrine of the Creed of the Protestant Church, which can be proved by the sacred Scriptures, in *that respect*, or *in that sense*, in which it differs from, or is opposed to the doctrine of the Roman Catholic and Apostolic Church. And I add, if "numerous and deadly errors" prevailed in the Church of Rome, and in the Churches in communion with her, that the Church of Christ would have failed in all that is essential to its being,

that Christ himself would have been wanting to his promise—consequently not be the God of truth, and that divine faith is no longer existing on the earth. These are strong expressions, and what they announce is of great importance; I place them in juxta position with the uncalled for assertions of the writer of "the Charge," and should he at any time, undertake to prove what he asserts, I promise, if blessed with life and health, to refute his proofs, and to establish what I have advanced. This, however, would be an ungrateful task, and undertaken, like that in which I am now engaged, through necessity, and not through choice.

I abhor dissension, I dislike controversy; I have never, but in the lawful defence of my Country or Religion, when both or either were assailed, not by vulgar calumniators, but by men of station, opened my lips or dipped my pen in ink to interest the public: I have never exhibited to the disgust or indignation of my fellow subjects, the tyranny, the absurdity, the hypocrisy of the furious men who assail us, unless when I apprehended that truth or justice imperatively required of me to speak or write in our defence. I have from my youth deeply imbibed the sentiment of Lucilius,

> "Virtus est dare quod reipsa debetur honori,
> Hostem esse.....morumque malorum
> Contra, defensorem hominum morumque bonorum,
> Hos magni facere, his bene velle, his vivere amicum,
> Commoda præterea Patriæ sibi prima putare;"

and though I may never be able to ascend to the place allotted to the wise and good, as exhibited in the picture of this life by Epictetus, I shall never, God being my helper, cease to combat those furious or deceiving passions which infest the way, embarrass or corrupt mankind, and augment the number of human ills.

APPENDIX I.

The following Series of EXTRACTS *not only shew the present deplorable state of the Protestant Churches throughout Europe, but also that Protestantism, after loosing every moral bond, terminates in infidelity.*

La Religion Catholique Apostolique et Romaine, est incontestablement la seule sûre.....Mais, cette religion exige, en même temps, de ceux qui l'embrassent, la soumission la plus entière de la raison. Lorsqu'il se trouve, dans cette communion, un homme d'un esprit inquiet, rémuant, et difficile à contenter, il commence d'abord à s'établir juge de la vérité des dogmes qu'on lui propose à croire: et ne trouvant point cet objet de la foi un dégré d'évidence que leur nature ne comporte pas, il se fait Protestant; s'appercevant, bientôt de l'incohérence des principes qui caractérisent le protestantisme, il cherche dans le socinianisme une solution à ses doutes et à ses difficultés; et il devient socinien. Du socinianisme, au Déisme, il n'y a qu'une nuance très-imperceptible et un pas à faire: il le fait, mais le déisme n'est lui-même qu'une religion inconséquente, il se précipite, insensiblement, dans le Pyrrhonisme, état violent et aussi humiliant pour l'amour propre qu'incompatible avec la nature de l'esprit humain. Enfin il finit par tomber dans l'athéisme."—*French Encyclopedia, Art unitaires.*

The State of the Protestant Churches of the Continent, by Robert Haldane, in his second Review of the Conduct of the British and Foreign Bible Society.

"The *majority* of pastors and professors of divinity in Germany, for about the last thirty years, have called themselves Rationalists. Rationalism consists in a sort of idolatry of the human understanding, and it therefore rejects all truth which cannot be discovered, except by Divine revelation. In Germany, the Churches seem to vanish by degrees; they are often seen in ruins. Mr. Dassel, the first clergyman in Sladhagen, wrote a book in the year 1818, in which he endeavours to prove, that the time is come when all Churches should be changed into manufactories, because the people now are sufficiently enlightened to reject the former use of them. About the end and beginning of the last and present centuries, several clergymen recommended in their writings the giving up of the old superstition, and began to preach the best method of feeding cattle, on choosing good kinds of potatoes, on agriculture in general, &c. The people becoming generally dissatisfied with the Scriptures, and thinking that they can find the same morality in other books, often gave up attendance on public worship altogether. On the whole, the greatest number of the pastors and professors in the north-west and middle part of Germany, are Rational Naturalists; in other words, decided *Deists*."

"It is curious to observe in what manner the Rationalists get rid of all miracles. Professor Paulus, in his critical commentary, presents many instances of these explanations. The man with the withered hand had, as Paulus explains it in his commentary, only a luxation of the shoulder, which Jesus observing, pulled it into joint. Professor Schultness explains this miracle as follows: 'The man had a severe rheumatism; Christ observing that his blood was much moved by the indignation with which he heard the question of the Pharisees, said to him in that favourable moment, stretch out thine hand; the man attempted to do it and was healed, because that extraordinary excitement had removed the impediment under which he laboured."

" When Christ restored sight to the blind man, we are informed by such interpreters, that the poor fellow had such a weakness in his eyelids, that he could not keep his eyes open. But for a long time he had not attempted to open them, and Christ observing that he never made the attempt to do it, said to him, ' thou shalt open thine eyes.' The confidence of the man in him, as the Messiah, was so great, that making the attempt with all his might, he opened his eyes."

" Christ never walked on the waves, but on the shore, or he swam behind the ship, or he walked through the shallows."

"The daughter of Jairus was not dead, because Christ himself said, she sleepeth."

" When Jesus said to Peter, 'thou shalt catch a fish and find in his mouth a piece of money;' the meaning is, before you can sell it for so much, you must first open its mouth to take out the hook."

" At Cana, in Galilee, Jesus gave a nuptial present of very fine wine, with which, for a joke, he filled the water-pots of stone."

" The paralytic, (John 5) was an idle fellow, who, for thirty-eight years, had moved neither hand or foot. Christ asked him the ironical question, perhaps thou wouldst be whole? This irony stirred him up; he forgot his hypocricy, and running away with his bed, left that hospital in which he had lain thirty-eight years."

" When Jesus is said to have ascended into heaven, the disciples lost sight of him in a fog."

" Some of the Rationalists teach, that the Apostles were deceived; others, that they were deceivers; and some, that they were at once deceivers and deceived. In short, Rationalism is Deism, ornamented with some phrases of the New Testament, and produces such effects as we might expect from it."

SWEDEN, NORWAY, AND FINLAND.

" The tide of infidelity more slowly reached these northern countries, viz: Sweden, Norway and Finland; but its arrival

was only the later and not the less disastrous. The faith of the people was very much overturned by the preachers of humanity, sent forth by the infidel university of Copenhagen. Norway, united to Denmark, at a time when that kingdom seemed to have entirely abandoned the religion of the Cross, and embraced the principles of the wildest and vilest infidelity, shared its fate of being egregiously darkened and wholly converted into a merely nominally christian church."

PRUSSIA.

"Among the number of stationary clergymen of the establishment in Berlin, there are *four*, besides a Moravian minister, who preach and live evangelically, but all the other pastors are either directly opposed or indifferent to the truth. But what is here stated of Berlin, is not to be taken as a criterion for the rest of Prussia by any means, but rather as an exception, as it is well too well known, that the rest of the Clergy, go almost where you will, are in a state of neologian darkness." (Neologists are the same as Rationalists, that is, Deists.")

"The City of Dantzick (with a population of about 50,000 souls,) affords a truly affecting spectacle, in a religious sense. During a stay there of nearly two months, I had full proof that the candle of the Lord was removed not from one, but from every religious body in the city."

HUNGARY.

"The state of religion amongst the Hungarians filled him with sorrow and grief, to behold such a multitude of people, who still bear the name of Protestant Christians, but who are very little better than the heathens, either in refined scepticism or gross superstition. The value of a Minister (among them) is rated according to his oratorical powers, no matter what doctrine he teaches, or what tenets he holds."

HOLLAND.

"Arianism and Socinianism have, during the last 25 years,

made great progress in the academies, and the reformed churches, although they preserve more or less the forms of orthodoxy, yet the spirit and life of it are wanting among the greatest number of pastors."

OF THE FRENCH PROTESTANTS.

" The Protestant college at Montanbau, (the only institution in France for the education of Protestant pastors) has been singularly unhappy in the appointment of those who have occupied the divinity department—while a few good pastors may be found in France, who, in spite of that miserable course of instruction under which they were placed, have been brought to the knowledge of the truth as it is in Christ Jesus. It may easily be conceived how unfit the great body of the Protestant ministers must be for their office, Arians, Socinians, Neologists, of no fixed opinion whatever as respects the gospel—they are in general, blind leaders of the blind."

EXTRACTS from L'histoire des Sectes Religieuses, par M. Grégoire. Paris, 1814.

" Dans les rémontrances du clergé présentées à Louis XVIII. en 1780 les évèques s'expriment ainsi: 'sans invoquer la notoriété publique, et sans se prévaloir des aveux échappés à l'indiscrétion de célèbres Calvinistes, n'avons-nous pas vu l'école même de Génève, donner, ily a trois ans le scandaleux spectacle d'une thèse publique non contredite, dans laquelle on n'a pas rougi de mettre en problême la divinité de notre Seigneur Jesus-Christ, borne immuable qui sépare toujours le simple déisme du christianisme ?"

" Un Académicien de Berlin me disait que le Protestantisme (c'est sa religion) est à michemin de l'incrédulité ; un autre savant de la même communion, Stapfer, se plaint des Théologiens, qui par leur nouvelle Exegèse *escamotent* au peuple sa

religion : car la plupart des innovations religieuses en Allemagne sont leur ouvrage."

" G. F. Gruner, dans ses institutions de théologie dogmatique prétend que l'Eglise est en erreur sur la Trinité et l'expiation par Jesus-Christ."

" Le professeur Gambord, dans un ouvrage Danois intitulé ' Jesu Moral,' ne montre le Redempteur que comme un ambassadeur de la Divinité envoyé aux hommes."

" Bassedow, a Dessaw, se disait Arien ou plutôt Déiste et voulait qu'on batît un temple à la providence."

" Semler, dans ses ouvrages historiques sur le Christianisme le réduit à n'être qu'une doctrine purement humaine."

" Le Docteur Bahrdt, connu par l'étendue de ses connaissances et son libertinage, révoque en doute la réalité de la mort de Jesus-Christ et sa résurrection."

" Le ministre Schulz à Gielsdorf, en Brandenbourg, préchait contre la divinité de Jesus-Christ, sa résurrection, sa Mission et celle de Moïse : des ministres ont pris, la défence de Schulz entre autres Loefler, surintendant de Gotha. Quand on connaît Loefler : on éprouve des regrets aimers de voir un homme si distingué dans les rangs de ceux qui voudraient ébranler les vérités fondamentales du christianisme."

" De Vos conseiller de cour à Weiman consent qu'on enseigne les hommes qui ont atteint la virilité d'après l'ancienne doctrine : mais il veut qu'on procède autrement pour la génération nouvelle."

" Le Docteur Bock, dans son Histoire des écrivains antitrinitaires donne la notice de cent quarante-quatre. Certes actuellement on pourrait en doubler le nombre."

" Sleinbart distingue deux systèmes religieux : l'un pour le peuple, l'autre pour les savans. La religion Chrétienne n'est, à son avis, que la religion naturelle clairement exposée par Jesus Christ et nécessaire au peuple qui se conduit par son autorité ; mais inutile aux hommes instruits, qui ont la raison pour guide."

" L'électeur de Saxe en 1776 rendit un édit contre le socinianisme, que plusieurs savans, dit-il, cherchent à répandre."

" Le sénat d'Ulm à défendu aux ministres de prêcher le socinianisme, qu'on prêche également à Copenhague, un ministre ayant dans un sermon, parlé de Jesus-Christ comme s'il n'était qu'un homme vertueux, reçut des réproches de l'évêque..... mais tout ce qu'il en résulta, c'est que, dès le dimanche suivant, toute la cour vint au sermon du curé."

" Les Protestans Français sont arrivés au même terme que ceux des autres contrées.....On voit par la collection intitulée Acta Ecclesiastica, publiée à Weiman pendant près d'un siècle, que depuis long-temps le socinianisme s'était répandu dans le pays de Vaud."

" Les ministres Génévois interrogés, il y a une cinquantaine d'années, sur la divinité de Jesus-Christ, firent attendre pendant six semaines une réponse qui n'exigeait qu'une minute par oui, ou non. A cette occasion J. J. Rousseau, dans ses lettres de la Montagne disait ' Les Réformés de nos jours, du moins les ministres, ne connaissent ou n'aiment plus leur religion. Un philosophe les pénètre, les voit Ariens sociniens : il le dit, et pense leur faire honneur : mais il ne vait pas qu'il expose leur intérêt personnel, la seule chose qui généralement, décide ici bas de la bonne foi des hommes. Aussitôt alarmés, éffrayés ils s'assemblent, ils discutent, ils s'agitent, ils ne savent à quel saint se vouer : et après forces de consultations, délibérations, conférences, le tout aboutit à un amphigouri où l'on ne dit ni oui ni non.....O Génévois ! ce sont de singulières gens que vos ministres on ne sait ce qu'ils croient ni ce qu'ils ne croient pas, on ne sait pas même ce qu'ils font semblant de croire : leur seule manière d'établir leur foi est d'attaquer celle des autres."

EXTRACTS from the Sermons of the Rev. Hugh James Rose, M.A. of Trinity College, Cambridge, on the state of the Protestant Religion in Germany.

" A large portion of the Protestant Churches of Germany hailed these principles (the principles of Rationalism) with

delight, and spread with eagerness this purer system of Christianity. It was taught by her divines from the pulpit,—by her professsors from the chairs,—it was addressed to the old, as the exhortation which was to free them from the weight and burden of ancient prejudices and observances,—and to the young, as that knowledge which alone could make them truly wise, or or send them into life with right and rational views. With the exception of Lessing, or, at most, one or two others, all the writers to whom I allude, are at least doctors in divinity. Paulus, one of the most atrocious of the party, was professor of divinity at Wurtsburg. I cannot say whether he holds the same office at Heidleberg, where he now resides. De Wett, Kiunoel, Wegsheider, and many others, are professors, either ordinary or extraordinary, in the Universities to which they belong. It need not be added, that the Protestant Church of that Country (Germany) is the mere shadow of a name. For this abdication of Christianity was not confined to either the Lutheran or Calvinistic profession, but extended its baleful and withering influence with equal force over each. It is equally unnecessary to add, that its effects were becoming daily more conspicuous in a growing indifference to Christianity in all ranks and degrees of the nation."

"They (the rationalizing divines) are bound by no law, but their own fancies; some are more, and some less extravagant; but I do them no injustice, after this declaration, in saying, that the general inclination and tendency of their opinions (more or less forcibly acted on) is this, that, in the New Testament, we shall find only the *opinions* of Christ and the Apostles adapted to the age in which they lived, and not eternal truths; that Christ himself had neither the design, nor the power of teaching any system which was to endure; that, when he taught any enduring truth, as he occasionally did, it was without being aware of its nature; that the Apostles understood still less of real religion; that the whole doctrine, both of Christ and his Apostles, as it is directed to the Jews alone, so it was gathered in fact from no other source than the Jewish philosophy; that

Christ himself erred, and his Apostles spread his errors, and that, consequently, no one of his doctrines is to be received on their authority; but that without regard to the authority of the books of Scripture, and their asserted divine origin, each doctrine is to be examined according to the principles of right reason, before it is allowed to be divine."

"It will be sufficient to say, that they who wish to form a notion of the German method of explaining the doctrines of Scripture, as to the Saviour, the Atonement, and all the consequent doctrines, need only turn to the page of ecclesiastical history for a record of the various heresies of the early ages, and that they will also find a tolerable picture of them in the most violent English Unitarians. The Trinity, Incarnation, and descent of the Spirit are positively denied:—Christ was a mere man. The doctrine was not made up or established for nearly the three first ages. The doctrine of the Fall, and of Original Sin, is set aside entirely. God has always raised up men to repress vice and encourage virtue, as, especially, Pythagoras, Socrates, Plato, Zeno, Seneca, Marcus Antonius, Zoroaster, Confucius, and Mahomet, but, among all, the greatest reverence is due to Jesus the Nazerene."

"It is expressly acknowledged, that, in Scripture, literally understood, there are some grounds (Semina) for the orthodox, as to the two natures in Christ, yet, as such a doctrine is of no use to the attainment of virtue, bnt rather prejudicial, by diminishing the force of Christ's example, as it contradicts reason, and some other declarations of Scripture, it is better to adopt the other side of the question. All the notions of glorifications are either without ground, or mythi (fables,) all notion of his Atonement is renounced. It appears unnecessary to go through the whole doctrines usually taught by the orthodox Churches, as it is obvious, that after these principles, the whole exposition of the doctrine is, and must be, Socinian at least."

"Some went so far as to attack the whole body of the Prophets as impostors, in the most outrageous and revolting terms. Faith in these deceivers, it is said in one of their books, is 'the

cause of there being no real faith in the world.' There is a book called, 'Moses and Jesus,' by Buchholz, published at Berlin, 1806, in which, Moses especially, is abused, accused first of deceit and then of terrorism. Ammon says, that, leaving to philosophers to decide whether the gift of prophecy be possible or not, it is quite clear that Christ himself renounces the power; (Mat. 24, 36. Acts 1, 7,) and that therefore there are no prophecies of his in the New Testament; that prophecies are recorded in the Bible as uttered by men of doubtful character, as Num. 22, 5, 1st King, 22, 22, that many are obscure, and are never fulfilled, and that others seem to have been made after the event, that all are reckoned obscure and imperfect by the Apostles themselves. As these accusations apply, he says, to almost all the prophecies of Old and New Testament, it must be confessed that the argument from prophecy needs whatever excuse it can find, both in the delirium of the prophets, who were transported out of their sense, (John 11, 31, 2nd Peter 1, 21,) the double sense in which they are quoted in the New Testament, (Mat. 2, 23, Rom. 10, 18,) and the remarkable variety of interpretations. Ammon and Wegsheider further say, that Jesus, in Mat. 11, 11, Luke 7, 28, spoke in terms of contempt of the Hebrew prophets, which is quite untrue. Wegshider adds, that prophecies would favour fatalism, and that there are no prophecies, properly so called, sufficiently clear in either Testament."

"With respect to the miracles, when they were urged, as proof of immediate agency, by some, they were said to be that mythology which must attend every religion to gain the multitude; by some, the common and well known arguments and ribaldry of the infidel were unsparingly used; by one or more, high in station in the Church, some artifice, and probably magnitism, has been within the last ten years suggested. From the less daring, however, the answer was always, either that it was impossible that there should have been a miracle under such circumstances; or that, even allowing Christ to have had the power of working miracles, it was highly improbable that, in

the particular case alleged, he would have judged it right to exert it; and secondly, the words were examined, and, by every possible distortion, they were forced into any meaning but their own. Rosenmuller says, that miracles have lost all their force as proofs; and Thies, the translator of the New Testament, says, that neither the conversion of St. Paul nor the ascension of Christ, will now make converts; for, as the sphere of nature enlarges, miracles vanish. On the conversion of St. Paul, see Bretshuneider. Wegsheider says, that the story is so told, that we can make nothing of it, and that we must remember that St. Paul was much inclined to visions and extacies. And as to the ascension of Christ, Wegsheider has written expressly to prove it a mythus. Wegsheider says, that *though Christ seemed* to the standers by to expire, yet after a few hours, being given up to the *sedulous* care of his friends, he returned to life on the third day. Paulus tells us, that Christ did not really die, but suffered a fainting fit. One person, called Breneck, has written a book, to shew that Christ lived twenty-seven years on earth after his ascension. Another author says, 'that although we had better leave things as they are for the vulgar, who must have something extreme to rely on, yet divines should examine and find out the truth, that we see, in every religion many mythi *of the generations, incarnations, and apparitions of the gods;* and that they who call Mahomet an imposter, and Zoroaster mad—who laugh at the story of Buddha's generation from a virgin, who conceived him by a rainbow—or at Mahomet's discourses with Gabriel, &c., should not be angry if people examine the stories of Enoch, Moses, Sampson, &c. &c. or put the greatest part of what is related of Jesus and the Apostles into the class of fables; that the real religion of Jesus is rational, but that when he found that men could not be driven from their views otherwise, he began to assume a supernatural authority, and play the part of a prophet, and afterwards took up that of the Messiah, because some of his admirers thought he must be the person.' Afterwards 'he decides, that it was most probable Jesus had deceived himself, and was really per-

suaded himself, that he did possess supernatural powers, and that he was thus an enthusiast in the best sense."

"We see," says Luther, "that through the malice of the devil, men are now more avaricious, more cruel, more disorderly, more insolent, and much more wicked, than they were under popery."—(In Postil. Dom. part 1; Dom. 2, Adv.) "If any one wish," says Musculus, "to see a multitude of knaves, disturbers of the public peace, &c., let him go to a city where the gospel is preached in its purity," (he means a reformed city;) "for it is clearer than the light of the day, that never were pagans more vicious and disorderly than those professors of the gospel."—(Dom. 1. Adv.)—"The thing," says Melancthon, "speaks for itself. In this country, among the reformed, their whole time is devoted to intemperance and drunkenness, (*in manibus poculis.* So deeply are the people sunk into barbarity and ignorance, that many of them would imagine that they should die in the night, if they should chance to fast in the day."—(Ad. Cap. 6, lat.) Neither was this growth of vice and ignorance confined to foreign kingdoms. "In this nation," says Stubbs, (Motives of Good Works, with an Epistle dedicatorie to the Lord Mayor of London, an. 1596,) after he had made the tour of England, "I found a general decay of good works, or rather a plain defection or falling away from God.—For good works, who sees not that they," (the papists of former times,) "were far before us, and we far behind them?"—Erasmus thus describes the fruits of the reformation; he was, indeed, a Catholic; but a Catholic whom the Protestants allow to have been impartial.—"And who," says he, "are those gospel people?—Look around you, and shew me one who has become a better man; shew me one, who, once a glutton, is now turned sober; one, who, before violent, is now meek; one, who, before avaricious, is now generous; one, who, before impure, is now chaste. I can point out multitudes, who are worse than they were before. * * * * What tumults and seditions mark their conduct!—For what trifles do they fly to

arms !—St. Paul commanded the first christians to shun the society of the wicked ; and, behold ! the reformers seek most the society of the most corrupted ;—these are their delight. The gospel now flourishes ; forsooth, because priests and monks take wives in opposition to human laws, and in despite of their sacred vows." Capito, a great partizan of Luther, (Epist. ad Farrell; int. Calv. p. 5,) writes thus to Farrell, a leader among the Calvinists. " I acknowledge the great evils which we have occasioned in the church, by rejecting, with so much imprudence and precipitation, the authority of the Pope. The people is now without bridle or curb, and despises all authority ; as if by abolishing the papacy, we had suppressed, in the same manner, the power of the servants of the church, and the efficacy of the sacraments ! Every one now exclaims—I have enough to guide myself ! As I have the gospel to lead me to the discovery of Jesus Christ and his doctrines, what need I of other help ?"—" All the waters of the Elbe," Melancthon writes to one of his correspondents, (Melancth. Ep. I, iv. Ep. 100–129,) " would not give me sufficient tears to bewail the miseries of the reformation." Bishop Burnett gives the following view of the state of morality in England, in the reign of Edward VI. (History of the Reformation, part 2, p. 226)—" The sins of England did, at that time, call down from heaven heavy curses. They are sadly expressed in a discourse that Ridley wrote after, under the title *Of the Lamentation of England :* he says, that "lechery, oppression, pride, covetousness, and a hatred and scorn of all religion, were generally spread among all people ; but chiefly those of higher rank."—" Lechery," says Latimer, " is used in England, and such lechery, as is used in no other part of the world. And it is made a matter of sport, a trifle, not to be passed on or reformed." Luther describes his conduct and feelings, while he remained within the pale of the Catholic religion, and observed the rules of his order :—"When I lived in my monastery, I punished my body with watching, fasting and prayer ; I observed my vows of chastity, poverty and obedience.—Whatsoever I did, it was with singleness

of heart; with good zeal, and for the glory of God, &c. I feared grievously the last day, and was, from the bottom of my heart, desirous of being saved." (Ad Gal.) After he had commenced reformer:—"I am burnt," he said, "with the flames of my untamed flesh; I am mad almost with the rage of lust, and the desire of women. I, who ought to be fervent in spirit, am fervent in impurity, in sloth, &c. (In Col. Mens.) Relying on the strong foundation of my learning, I yield not, in pride, either to the emperor, prince, or devil; no, not to the universe itself.—(Resp. ad Maled. Regni Angliæ.) Fletcher's translation of these three passages.—*Sermons, vol. 2, p.* 116-117.

The following Quotations shew the admirable accordance of the present with the past state of Protestantism.

"There are *among* us, those not less in darkness and ignorance than those that are to be found in the pagodas of China, or who, amidst the deepest wilds of Indian forests, sacrifice their children, or prostitute themselves before demons, at whom they tremble, but whom as Gods they adore."—*Home Missionary Magazine, Jan.* 1820, p. 22.—(Speech of John Wilks, Esq., Chairman at a Home Missionary Meeting,) At the same meeting the Rev. Mr. Iron stated, "In our own country, there were MILLIONS whose consciences were *never* appealed to by faithful ambassadors, and who *never* heard of the Prince of Life." The Rev. Mr. Evans stated, "that he had travelled through districts of twenty miles without a single school for religious instruction." In the Report read at the first annual meeting of the Parent Home Missionary Society, held May 15, 1820, it is stated in reference to "Northumberland, Cumberland, Durham, and part of Lancashire," that "darkness covers this part of England, and gross darkness the people" p. 2. that "the more internal parts of Northumberland are awfully destitute, and the people are living in the greatest darkness." p. 3.

That the county of Worcester "has been termed the garden of England; but in a moral light it may be regarded as a waste, howling wilderness." p. 4. Staffordshire is stated to contain three hundred thousand inhabitants, "the greater part of whom sit in darkness and the gloomy shades of overspreading death." pages 4 and 5—Again, "Oxfordshire presents but a dreary desert." p. 5. And a "moral wilderness of awful dimensions." p. 7.—As to a part of Berkshire, it is stated, "no one unacquainted with similar scenes, can form an adequate idea of the extreme ignorance of the inhabitants of those villages." p. 5. The writer adds, "not only these villages, but a number of others near us, are similarly situated; in one of them, the villages are in a state of complete mental darkness." p. 6. (Second Report of the Home Missionary Society, p. 12.) The framers of this report, state, that Mr. Sparks preached in four places, which "were mere moral wildernesses, and knew nothing of evangelical truth." p. 14. In the third annual report, it is distinctly asserted, that "none but those who have taken the trouble to explore the village population, can possibly conceive their wretched state of ignorance, and the degree of vice that prevails amongst them."—One of the Missionaries, on entering on his station, complains of "numbers greatly increased, moral degradation unusually deepened, ignorance with insensibility united, wickedness blended with every vice, and heightened into barbarity of manners." p. 24. Another says, "I verily believe, that this is the worst place under the heavens, for men, women, and children seem to glory in blaspheming the name of the Lord." p. 25. Another tells the Committee, "that his station exceeds every thing he ever witnessed for wickedness, for cock-fighting, for bull-baiting; quarrelling, drunkenness, and lewdness generally prevail." p. 25. In the fourth annual report it is admitted, notwithstanding all their evangelizing labours, that "infidelity like a mighty flood, has been devastating society with the most awful errors and moral abominations." p. 15. Their fifth annual report, adopted 5th May last, and the reports

of the Baptist Home Missionary Society, are all in the same strain. In conclusion, the Committee states, "there are thousands of villages within the limits prescribed by your regulations, where the joyful sound of a preached Gospel is never heard." p. 15. So much for the "CENTRE OF LIGHT."

"The characteristics of the present times are confessedly incredulity and an unprecedented indifference to the religion of Christ."—*Bishop Prettyman's Charge*, 1800, *p.* 10.

Even in this country there is an almost universal lukewarmness and indifference respecting the essentials of religion."—*Bishop Barrington's Charge*, 1797, *p.* 2.

A late Bishop of London in his Charge, 1790, p.14, informed us that in his diocese, there were many hundreds of wretched, ignorant, young creatures, of both sexes, totally destitute of all education, totally unacquainted with the very first elements of religion."

"In the population of England alone 1,170,000 children it is much to be feared, grow up to an adult state without any education at all, and almost without any useful impressions of religion and morality. In the present state of things, it is not too much to say, that every thirty years, at least four millions and a half of adults must, in case a remedy is not applied, mingle in the general population of the kingdom without any fixed principles of rectitude, and with very little knowledge either of religion or morality."—*Colquhoun's New System of Education*, *p.* 72, 73.

"It appears from the official documents which Mr. Yates has collected and compared, that within the small circle of ten miles round London, no less than nine hundred and seventy seven thousand souls are shut out from the common pastoral offices of the national religion.—"Shut out says Mr. Yates, from the pale of the Church, from all participation in its benefits, they are necessarily driven to join the ranks of injurious opposition, either in dissent and sectarian enthusiasm, or in the infinitely more dangerous opposition of infidelity, atheism, and ignorant

depravity." Well he may add, that, "such a mine of Heathenism and consequent profligacy and danger, under the very meridian (as it is supposed) of christian illumination, cannot be contemplated without terror."—*Quarterly Review for Oct.* 1820, *p.* 554.

"I doubt much whether the immorality of Edinburgh is not equal, perhaps greater, than that of London."—*John Macculloch, M.D. F.R.S. The Highlands of Scotland.*

"Let any who are acquainted with the different parts of England, whose avocations carry them into connexion with various persons—let them testify to the truth, and they will bear me out in saying, that in England there exists a bigoted obstinacy against the true religion." Again, "that the bulk of the peasantry of England require immediate and continual endeavours to instruct them concerning the truth, as it is in Christ Jesus."—*Rev. Hugh M'Neil, Report for the year* 1824, *of the Continental Bible Society, p.* 68.

"It is of the utmost importance, that all persons who desire that the preaching of the gospel may be heard on the Continent, should bear continually in mind, that the word Protestant, means nothing but a person who does not go through the ceremonies prescribed by the Church of Rome, and who has, together with the superstitions, for the most part renounced also every fundamental of Christianity."—*Report, an.* 1823, *of the Continental Bible Society, p.* 41–2.

"It should be observed, that Catholicism and Protestantism there, (on the Continent,) do not mean what Catholicism and Protestantism mean in England. The former admits of all the fundamentals of Christianity—whilst the latter denies the basis of Christianity altogether."—*Mr. Drummond, Report* 1824, *p.* 63–4.

"The populace of England are more more ignorant of their religious duties, than they are in any other Christian country." It would make "any one Christian heart bleed to think (says Bp. Croft,) how many thousands souls there are in this land, that have no more knowledge of God than heathens; thousands of the mendicant condition, and thousands of the

mean husbandry-men, as they grow up to be men, grow mere babes in religion; so ignorant, as scarce to know their heavenly Father." At this day the case is worse than Bishop Croft represented it.—*Quarterly Rev. No.* 37, *Sep.* 1818, *p.* 20, *On the means of improving the people, &c.*

"Infidelity is a rank weed, it threatens to overspread the land, its root is principally fixed amongst the great and opulent."—*Bp. Watson in his apology for the Bible, last page.*

"J'ai voulu indiquer comment les croyances protestantes ont dú disparoêtre toutes, et laisser la religion vacante dans leurs contrées respectives: comment leur diversité et en dépit de leurs professions de foi, elles ont eu pour tout product un vague dèisme qui a engendré la doctrine des prétendus sages du dix-huitieme siecle. J'ai la conscience intime d'avoir écrit sans passion et je donne comme rèsultat certain, d'aprés mes recherches et mes méditations, la dispésition totale du protestantisme: Il n'y a réellement plus dé Lutheriens ni de Calvinistes: il n'ya plus de mystiques dans les rangs des réformés, il ne s'y trouve même plus de Sociniens, on n'y reconnoît qu'une masse de sentimens confus composés de raisonnemens et de sensations indéfinies et à laquelle l'Allemagne protestante a donné elle-même le nom de *religiosite* pour la distinguer de la religion. La morale s'y rencontre jusqu'à un certain point: mais la foi en a disparu."—*M. le Baron d'Eckstein, dans son Protestant converti à la foi catholique, œuvre intitulé "le Catholique."*

The few remarks here following, are the reluctant evidence of Protestant writers, against that nominal religion, which they vainly seek to uphold, and in favour of that holy and always enduring faith, whose efficacy and merits they are obliged to acknowledge.

"What must they (the Catholics,) conclude concerning Protestants, and the cause of the reformation, when they seethat the name Protestant pastor, is sufficient to sanction every heresy, while the doctrines of the gospel are entirely disregarded? No wonder they openly declare that the state of religion amongst Protestants, forms the strongest argument against the

reformation! In their Church there are fundamental doctrines retained of the highest importance, which, if really embraced, will conduct to life eternal. But the state of the public ministry, in many Protestant Churches is such, that salvation, by means of it, is impossible."—*Second Rev. of the British and Foreign Bible Society, by Robert Haldane, p.* 120.

"At whatever hour you enter a Catholic place of worship, (on the Continent) some persons will be found at one or other of its altars, on their knees, abstracted in solitary devotion, whether the church be full or crowded with spectators. At the hour of vespers, you hear the evening hymn from every house in a village: and in the streets of a busy and populous town, at the sound of the vesper bell, the passengers uncover their heads, and halt or utter a prayer as they pass on." "Comparing the state of mind which is thus produced, with that of our own town populace, if the populace alone were considered, we might almost wish that they had still been suckled in a creed out-worn." Again, "They (the Continental Catholics) may have their jest against the priest, and their tale and their proverb against the friar, but this levity leaves no leaven of infidelity behind, it passes as it comes, and the principle of faith remains unaffected. The observation of every intelligent person who has travelled in Catholic Countries, may safely be appealed to in proof that we have not exaggerated the effect which is produced upon the popular mind, by the forms and discipline of the Catholic Church."—*Quarterly Review for October*, 1820, *p.* 557.

"The Protestantism of the Continent, is a system from which the whole of Christianity is excluded, but the forms. In fact, of the two, if I were to judge, I would say popery is the best."—*Rev. Dr. Thorpe, Report of the Continental Bible Society, for the year* 1824, *p.* 64.

"There are pious Catholics who adhere to the doctrine of the divinity of the Son of God, who and consequently will, we doubt not, be themselves saved: while on the other hand, multitudes calling themselves Protestants, have destroyed the very

foundation of a sinner's hope."—*Robert Haldane in his letter to M. Chenevière, p.* 124.

The foregoing extracts have been selected, not without industry and attention, from a large mass of others of a similar nature or tendency; they are submitted, without a comment almost, to every sincere christian. Let him reflect on the occasion which called them forth—and then refer them to the tribunal of his own conscience, before he is himself presented before the tribunal of his God!

APPENDIX II.

EXTRACT from the Dublin Weekly Register of November 4th, 1826.

"The Church of England and Ireland presents itself as tolerant. * * * * * * If, indeed, in the *first days* of the Reformation, during the perilous struggles of the glorious divines and martyrs who laboured to rescue the Catholic Church from the despotism and corruption of the Roman, *some* acts are discoverable, which *connect* our Church immediately with intolerance, it must be remembered that the long reign of Popery had rendered Europe so familiar with the idea of persecution, for the sake of religion, that it is not to be wondered that *some vestige* of this sad corruption of Christianity should have *lingered* with others, from which those most excellent of men, reared, as they had been, in all the errors of Popery, were not able *at once* to effect their perfect emancipation. But from the time when the Church of England and Ireland became *fully* released from this antichristian influence, and when she had assumed her true form, adjusted to the sound Scriptural principles on which she was founded, what do we find in the language in which she gives her sense of the Christian doctrines, in the spirit which pervades her formularies, or in the temper which has distinguished all her genuine sons and followers, but *the truest toleration and the most Christian charity?*"—(Charge of Dr. Magee, Protestant Archbishop of Dublin, at his late visitation.)

SIR,—There can be no surer standard whereby to measure the tolerance of protestantism than the Acts of the English Parliament: they are not like the Decrees of Councils, made in remote ages, whose language may now be tortured by different interpretations. No, the English Statutes are understood to the letter, for they have been acted upon even within our own time, and they cannot claim the excuse of being enacted by men living secluded from the world, or whose minds were soured by austerities and mortifications, for they are the councils of men, enjoying all the sweets of social and domestic happiness. Such are the authorities by which I frame my opinion; and the abstract of them, which I annex, must satisfy every mind, that the mild tolerance of the Church of England is a gross delusion, and that there is another and *a more intolerant Church than that of Rome.*

As many writers, in their zeal for the Reformation, will not allow the eighth Harry to be the first Reformer, I have to *eschew* contention, commenced with the reign of King Edward the Sixth. In the year 1548, this young prince, as supreme head, had it ordained and enacted, that any clergyman not using the Book of Common Prayer, and other rites, 'according to the Church of England,' or using any other form of prayer, should *suffer imprisonment during life.* This bold beginning with the Pastors must have reduced their flock, then the whole population of the kingdom, to a pretty alternative! Hume says, that one third of the Clergy of England were *deprived for non-conformity;* and with this precedent full in view, why should we wonder to see the regicides under Cromwell, in the next century, depriving and abolishing Archbishops, and all other Dignitaries, and selling their estates, to carry on the war against their King! King Edward's attention was next directed to the Laity: in 1551 it was enacted, that every person should resort to where the Book of Common Prayer, &c. shall be used, under pain of Church censures; and that if any person be present at any form of prayer or ecclesiastical rites, other than those set forth in the Book of Common Prayer, he

shall *suffer imprisonment during life ! !*—Good God, am I to believe that the Reformation and slavery went hand in hand? Where, then, were the civil liberties of Englishmen? Was there no liberty of conscience, and could some dozen of individuals thus throw fetters over the national mind? Was it thought that the Reformed Religion contained nothing which might, after a time, recommend it to the country?—and could nothing but tyranny enforce the Reformation? Indeed, it appears not. Such, at all events, was the tolerance of the infantine reformed Church! Soon after it was enacted, that, for *doubting* the Queen's supremacy, (a point questioned by some Protestant Divines, and denounced by Hume,) christians in England were to suffer the PAINS OF DEATH and FORFEIT THEIR ESTATES, as in *cases of high treason ! ! !* It was also enacted, that for causing *any prayers* to be said or sung, other than those contained in the said Book of Common Prayer, you should *forfeit your estate* and *be imprisoned for life ;* that to be reconciled to the Church of Rome, or *withdrawn from the Church of England*, was punishable as for high treason; that if at the *age of sixteen* you went not to Church, you should pay a penalty of 20*l.* per month; and if unable to pay this penalty, *you should be imprisoned until you conformed.*—If, unfortunately, you had an estate, *two thirds of it were vested in the Crown until you became a Protestant ;* and if you had no estate wherewith to satisfy those penalties, you were forced solemnly to *abjure* your country, and *transport yourself beyond the seas for ever*, giving your personal property, chattels, &c. to the crown; and should you return, the penalty was the death of *a felon without benefit of clergy.* If you did not become a member of the Established Church, under another Act, you dare not *move more than five miles in any direction from your own house.* You could neither *christen, marry, nor bury, according* to the rites of any but the Established Religion. Many of the Acts respecting wives, children, servants, guardians, &c. are such as I shall not shock the feelings of your readers by commenting on, but will merely refer every

enquirer, anxious for truth, to the following abstract, containing the principal Laws of England, connected with religion, as they stood from the year 1548, until so late as the year 1791, when their violence was somewhat chastened down by the 31st Geo. III.

A perusal of this brief summary, must lead to the conviction, that intellectual slavery was the first consequence of the Reformation in England—that the Reformed Religion did not succeed by its own merits—that no respect was paid to liberty of conscience—that the Reformation was forced on the country by arbitrary punishments—that under the edicts of the supreme head of the Protestant Church, it was impossible to be otherwise than a Protestant—that liberty, estate, country, and life, became the penalties of not acknowledging that supreme head; and after gathering from the most faithful historians some knowledge of how those penalties were enforced, must you not confess that those who now boast of the Civil and *Religious* Liberties of Old England, are meanly pandering to public delusion.

I am, Sir,

M. H.

Abstract of Acts of Parliament made in England on the subject of religion, from the year 1548 *to the year* 1791.

STATUTE PASSED IN 1548.

Any Parson, Vicar or other Minister, refusing to use 'the Book of Common Prayer, and other rites and ceremonies according to the use of the Church of England,' or 'using any other manner of Prayer,' or speaking against the said Book of Common Prayer, and being afterwards thereof three times convicted, 'shall suffer imprisonment during his life.'

STATUTE PASSED IN 1551.

Every person shall resort to Church where Common Prayer shall be used, 'upon pain of punishment by censures of *the*

Church.' And any person hearing, or being present at any manner or form of Common Prayer, of administration of the Sacraments, making of Ministers, or of any rites, other than those set forth in the said Book of Common Prayer, shall suffer 'imprisonment during his or their lives.'

STATUTE PASSED IN 1558.

The Queen declared to be supreme head of the Church, and all persons having promotions and offices, ecclesiastical or temporal, refusing to take the Oath of Supremacy, disabled from retaining or exercising any such offices during life.—Any person asserting the jurisdiction, spiritual or ecclesiastical, of any foreign Prince, Prelate, &c., heretofore used in this kingdom, shall, with his abettors, be attainted, forfeit all his estates, and '*suffer pains of death*, and other penalties, forfeitures, and losses, as in *cases of high treason*, by the laws of this realm.'

Any Minister convicted of refusing to use the book of Common Prayer, or using any other rite or ceremony but what are set down in said book, shall forfeit his benefice, be imprisoned for twelve months, and on third conviction, shall be deprived, *ipso facto*, of all his spiritual 'promotions—and also, shall suffer imprisonment during his life.' If the offender have no spiritual promotion, he shall suffer imprisonment for life. Any person causing prayers to be said or sung than those set down in the book of Common Prayer, shall, for first offence, forfeit 100 marks; for second offence, 400 marks; and on third conviction, shall forfeit all his lands and goods to the Queen, and suffer imprisonment for life.

Every person absenting himself from his Church, or place where the book of Common Prayer is used, 'shall suffer punishment by the censure of the Church,' and forfeit twelve pence for every Sunday and holiday so absent.

STATUTE PASSED IN 1563.

All persons must take the Oath of the Queen's Supremacy; and any person refusing 'shall suffer and incur the danger,

penalties, pains and forfeitures ordained and provided by the statute of provision and premunire aforesaid, made in the 16th year of the reign of King Richard the Second.' Refusing the oath the second time, declared to be treason. And no person to sit in the House of Commons without first proving his adherence to the Protestant religion by taking this oath.

STATUTE PASSED IN 1571.

Any ecclesiastical person maintaining doctrines contrary to the 39 Articles, shall be deprived of his benefice.

STATUTE PASSED IN 1581.

It is hereby enacted, that it shall be treason 'to withdraw any person from the Religion established, to the Romish Religion.' And that 'it shall be treason to be reconciled to or withdrawn to the Romish Religion.' And all aiders to suffer as for misprision of treason.

Any person saying or wilfully hearing Mass, shall forfeit 200 marks, and suffer twelve months' imprisonment.

Any person above the age of sixteen, not going to Church or usual place of Common Prayer, shall forfeit 20*l.* English per month; and should he absent himself still, he shall give sufficient sureties for 200*l.* at least, 'to their good behaviour,' and shall so continue bound until they conform themselves and come to Church. Any person keeping a schoolmaster, who shall not repair to the Established Church, shall forfeit 10*l.* per month.

Every person forfeiting money under this Act, and not able to pay same, shall be committed to prison, there to remain until he pays the penalties, 'or conform himself, or go to Church, and there do as is aforesaid.'

For the information of your English readers, allow me (within a parenthesis, as it were) to shew the 'virgin Queen's' ideas of civil and religious liberty. My author on this occasion is David Hume—and when we accuse Hume of bigotry, whenever he treats of Ireland, or catholicity, let us remember,

(though contemptible indeed is the apology) that he wrote in the last century, and then, too, for a London tradesman.' This extract, with others which your limits preclude, will prove by what a lengthened and lamentable suspension of every human right the infancy of Reformation was protected in England. In the year 1584, Queen Elizabeth 'appointed 44 Commissioners, 12 of whom were Ecclesiastics; three Commissioners could exercise the whole power of the Court; their jurisdiction extended over the whole kingdom, and over all orders of men; and every circumstance of their authority, and all their methods of proceeding were contrary to the clearest principles of law and natural equity. They were empowered to visit and reform all errors, schisms—in a word, to regulate all opinions, as well as to punish all breach of uniformity in the exercise of public worship. They were directed to make enquiry, not only by the legal methods of juries and witnesses, but by all other means and ways which they could devise: that is, by the rack, by torture, by inquision, by imprisonment. Where they thought proper to suspect any person, they might administer to him an oath called *ex-officio*, by which he was bound to answer all questions, and might thereby be obliged to accuse himself or his most intimate friend. The fines which they imposed were merely discretionary, and often occasioned the total ruin of the offenders, contrary to the established law of the kingdom. The imprisonment to which they condemned any delinquent was limited by no rule but their own pleasure. They assumed a power of imposing on the Clergy what new articles of subscription, and consequently of faith, they thought proper. Though all other spiritual Courts were subject, since the Reformation, to inhibitions from the supreme Courts at Law, the Ecclesiastical Commissioners exempted themselves from that legal jurisdiction, and were liable to no controul. And the more to enlarge their authority, they were empowered to punish all incests, adulteries, fornications, all outrages, misbehaviours, and disorders in marriage; and the punishments which they might inflict were according to their wisdom, conscience, and discre-

tion. In a word, this Court was a real Inquisition, attended with all the iniquities, as well as cruelties, inseparable from that horrid tribunal. In the next century, we find the Protestant Clergy of Ireland exercising the powers of those Inquisitors.

The Roman Catholics, then forming the majority of both Houses of Parliament, tendered 120,000*l.* to Charles I. for redress of 'Grievances, which,' says my Reverend Friend, Dr. Leland, the government historian, 'persons of all denominations had experienced.' One branch of redress which Charles promised was, that 'touching any contumacies pretended against Ecclesiastical Jurisdiction;' the Clergy should not 'be permitted to keep any private prisons of their own for these causes, but delinquents in that kind are henceforth to be committed to the king's public gaols, and by the king's officers.' It probably may be necessary to say, that Charles accepted the 120,000*l.* but I am sure it is wholly unnecessary to add, that he did not fulfil his promise; and, as a proof how unchanging and unchanged are some of the doctrines of Protestantism, I need only advert to the well known fact, that during the present year, a respectable member of the Established Church was arrested on the Sabbath, in a Church in this city, and detained, during Divine Service, in the custody of some of the servants, by virtue of a written power signed by a Prelate. This written instrument I have read, and it appeared to be, as far as its want of grammatical correctness would allow me to understand it, an impudent, illegal, and vulgar imitation of the *Sci Fa's* and *Fi Fa's*, issued from the King's Courts, indicted in the Saxon, or some obsolete dialect of the English language.

STATUTE PASSED IN 1586.

All Jesuits, Seminary, and other Priests, remaining in England, or entering the kingdom after forty days, 'shall, for his offence be adjudged a traitor, and shall suffer, lose, and forfeit, as in case of high treason.'

Receiving or relieving any such person shall be a felony—and sending money or relief to such persons, out of England, shall

be punished with the penalties of premunire, or in other words, with transportation and ferfeiture of property.

No children to be sent beyond seas, without license; and any knowing where a Jesuit is in this kingdom, and not discovering it, shall forfeit 200 marks!

Persons submitting under this Act, and conforming to the Established Church, shall not go within ten miles of the Queen for ten years!

Note—Innumerable executions took place of Priests, &c. under this Act, but so late as 30th June, 1646, when the English and Scotch nations were in arms for liberty of conscience, Rushworth, v. 4, p. 305, tamely mentions, as an ordinary occurrence, that one Morgan, for having received Orders beyond the seas in the Church of Rome, and coming into England, contrary to law, was drawn, hanged, and quartered, at Tyburn.

STATUTE PASSED IN 1587.

Two-thirds of the lands and other estates of every person refusing to go to Church, shall be taken into the Queen's possession, 'leaving the third part only of the same lands, &c. to and for the maintenance of the same offender, his wife, children, and family.'

STATUTE PASSED IN 1593.

All recusants, (persons were so called who refused to conform to the Protestant Church, in the English Statutes) shall give in their names to the Curate of their Parish, who will certify same to the Justices, in order to take proceedings against them; and any Priest refusing to acknowledge himself as such, shall be committed to prison.

Note—How offensive it would be to hint that there was ever an 'Inquisition in England.'

Any person above the age of sixteen, refusing to go to Church, or impugning, by speeches, the Queen's authority ecclesiastical, or persuading others not to go to Church, or going

to any other place of religious meeting, shall be committed to prison, there to remain, without bail or mainprize, until they conform to the Church, and hear Divine Service, as established by law.

Any person offending against this Act, and not coming in within three months and conforming to the Church, must abjure and depart out of the realm, and refusing to do so, is declared felony, without benefit of Clergy.

Any person keeping in his house any one who refuses to go to Church, shall forfeit 10*l.* for every month, and for every such person refusing.

The lands and goods of persons forced to depart out of the realm by this Act, shall be forfeited to the Crown.

ANOTHER STATUTE, SAME YEAR.

All persons above sixteen years of age, convicted of not going to Church, shall repair to their dwellings and 'not pass or remove above five miles from thence, under penalty of forfeiting all their lands, goods, &c. to the Queen.

All persons not having sufficient means to pay the penalties above enacted, and who still refuse to go to Church, shall, on their corporal oath before two Justices, abjure and depart out of this realm for ever, and should they refuse so to abjure, they shall suffer and lose, as in case of felony, without benefit of Clergy.

STATUTE PASSED IN 1602.

Confirms most of the foregoing Statutes, and enacts that any person sending a child to a Popish Seminary beyond sea for instruction, shall forfeit 100*l.*, and such child shall be afterwards incapable of inheriting his estate, or making any purchase.

No person to keep a School out of the Universities or Colleges, unless in the family of a Nobleman of the Established Church, under penalty of 40*s.* per day.

STATUTE PASSED IN 1605.

Every recusant conforming, shall receive the Sacrament once

a year in his parish Church—Church-wardens to return monthly lists of persons refusing to attend Divine Service, and of their children above nine years of age—Justices to make proclamation that such offenders render their bodies to the Sheriff—monthly penalties of 20*l.* on each, and two-thirds of their Estates to be taken for the King.

Every Bishop shall examine the persons in his Dioceşs on oath, and he who 'shall refuse to answer upon oath,' shall be committed to prison without bail or mainprize. (Here is a specimen of the Protestant Inquisition.)

Any person above eighteen years refusing the oath of Supremacy shall incur the danger and penalties of premunire. No indictments of such persons shall be reversed for want of form.

Any person reconciling another to the Church of Rome, 'shall have judgment, suffer and forfeit as in cases of high treason.'

Penalty of 12 pence for every time persons are absent from Church, and 10*l.* per month penalty on those who keep or relieve a servant not going to Church service.

The Sheriff or other Officer may break open any house wherein Popish Recusants shall be.

ANOTHER STATUTE SAME YEAR.

Any person discovering where Mass was said, shall have his own pardon and one-third of the goods, &c. forfeited by the attainder.

No recusant to come within ten miles of London, under penalty of 100*l.*

No man married to a Popish woman shall hold any office, and every married woman not conforming to the established Church, shall forfeit 'two parts of her jointure and two parts of her dower.'

Note—Rushworth, v. 1, p. 241, mentions instances of 'Gentlemen' flying to prisons, and there remaining as 'protection from the lawful proceedings (the fellow says with the coldness of an Eunuch) that might be had against them for recusancy.'

Every Popish recusant 'shall stand and be reputed to all intents and purposes disabled as a person lawfully and duly excommunicated,' until they come to Church and receive the Lord's Supper.

Any man married, 'otherwise than according to the orders of the Church of England, by a Minister lawfully authorised,' shall be utterly disabled from taking any lands in right of his wife. Any woman, being a Popish recusant, marrying, shall be utterly excluded from any dower, &c. in right of her husband. And if any man marry a Popish woman, who has no lands in her own right, he shall forfeit 100*l.*

Any parent not getting his child baptised by a lawful Minister, shall forfeit 100*l.* ! ! !

The executors, &c. of every person not buried in a Church or Church-yard, according to the ecclesiastical laws of the Established Church, shall forfeit 20*l.*

Children sent beyond seas, shall forfeit their estates, and if, on their return, they do not conform, their next-a-kin being Protestant shall inherit their estate. Persons sending children beyond seas to forfeit 100*l.*

No person not a member of the Established Religion shall present to any Church, Benefice or Advowson, &c.; but same are hereby given to Oxford College for ever.

Note—Under this Act Oxford College now presents to some hundreds of valuable Benefices, the Advowsons of which belonged to Roman Catholics. Is it any wonder then that this former seat of learning should be converted into a hive of ignorant, indolent bigots?

No Popish recusant shall be executor, or administrator, or guardian; and no Popish books shall be brought from beyond the seas.

STATUTE PASSED IN 1609.

Every person above the age of eighteen shall take the Oath of Supremacy. Any person refusing to do so, shall be committed to Prison, without bail or mainprize, until the Assizes;

and if he then refuse, he shall incur the danger and penalty of premunire, except women covert, who shall be committed to prison only, there to remain without bail or mainprize till they will take the said Oath and conform, or until her husband pay to the King 10*l.* per month, or the third part of all his estate.

Note—So rigidly were all those laws executed, that in 1626 we find Lord Scroop, accused to the King for conniving at Recusancy, inasmuch as he had only convicted 1670 Catholics in the East Riding of Yorkshire ! ! !

STATUTE PASSED IN 1627.

Any person going himself, or sending any other beyond the seas, to be bred or instructed in Popery, shall be disabled to sue or use any action at law or equity, to be executor or administrator or capable of any deed or legacy, or to bear any office, and shall lose and forfeit all his goods and chattels, 'and shall forfeit all his lands, tenements, and hereditaments, rents, annuities, offices,' and estates of freehold, for and during his natural life.'

STATUTE PASSED IN 1662.

That all Deans, Parsons, Vicars, Ministers, &c., refusing to read and declare their assent to use 'the Book of Common Prayer, and administration of the Sacraments and other rites and ceremonies of the Church, according to the use of the Church of England; or who will not read the Book of Common Prayer, and declare his assent thereto, shall be *ipso facto* deprived of all their spiritual promotion.' Any schoolmaster, tutor, &c., not doing the same, shall, for the first offence, suffer three months 'imprisonment without bail or mainprize,' and for the second, and every other offence, three months' imprisonment, and a forfeiture of 5*l.* to the King. And no other form of prayer to be used openly in any Church or public place in the kingdom.

STATUTE PASSED IN 1670.

If any person above sixteen be present at any assembly under

pretence of any exercise of religion, 'in other manner than according to the Liturgy and practice of the Church of England,' he shall be fined—any person preaching in any such meeting shall forfeit 20*l.*, and for second offence 40*l.*—any person permitting such meetings in his house, offices, &c., shall forfeit 20*l.* and Justices of Peace, Constables, &c., are empowered to break open doors where such meetings they are informed may be held.

STATUTE PASSED IN 1673.

All persons that bear any offices or places, &c., must take the Oaths of Supremacy and Allegiance, and other oaths, and receive the Sacrament—any person not brought up from his infancy a Papist, who shall instruct his child in the Popish religion, is disabled to bear any office of trust or profit, in Church or State; and such child shall be disabled also to bear any office of trust or profit in the Church or State, until he 'shall be perfectly reconciled and converted to the Church of England, and shall take the Oaths of Supremacy and Allegiance aforesaid.'

STATUTE PASSED IN 1688.

No Peer of the Upper House, or Member of the House of Commons, shall sit or vote in either House, until they first take the Oaths of Supremacy and Allegiance, and make, and subscribe, and audibly repeat this the declaration against transubstantiation.—(Another bonus on conformity to the Protestant religion.)

STATUTE PASSED IN 1668.

All persons holding offices, ecclesiastical or civil, shall take the Oaths herein mentioned of Allegiance, and against the Pope's supremacy—every person refusing to take same shall be committed for three months and fined 40*s.*—for second offence, at the end of his imprisonment, he shall be imprisoned for six months longer, and pay a fine not exceeding 10*l.*—if he refuse the third time, he shall be adjudged incapable of office, and shall be bound to good behaviour until he take the oath.

STATUTE PASSED IN SAME YEAR.

The declaration against Popery directed to be tendered to all Papists, who, if they refuse same, shall forfeit and suffer as 'a Papist recusant convict under the laws already made' since 1546, or in otherwise banishment or imprisonment for life, loss of estate, and in some cases of life, &c.

Note.—These two Statutes are the first made by King William's Parliament, and they exhibit what ideas the Protestant Church had then of Civil and Religious Liberty.

ANOTHER STATUTE OF SAME YEAR.

Persons refusing the Oaths of Supremacy, &c. shall suffer the penalties of all the laws above recited; and after some clauses in favor of Dissenters, who, by the way, were still forced to acknowledge the fundamental doctrines of the Reformation before they were entitled to such benefits, it is enacted, that nothing herein contained shall be construed to give ease to any Papist or Popish recusant.

STATUTE PASSED IN 1700.

A reward of 100*l.* for taking a Popish Bishop or Priest, and prosecuting him, for saying Mass, or exercising any of his functions. Any Popish Bishop or Priest saying Mass, or keeping school, shall be adjudged to perpetual imprisonment. Papists not taking the oaths when 18 years old, shall be incapable of inheriting any lands, &c., and their next of kin, being Protestant, shall enjoy their estates; neither shall Papists purchase property: and if a Papist do not allow his Protestant child competent maintenance, the Chancellor shall make order for that purpose.

STATUTE PASSED IN 1714.

Justices may tender the Oaths of Allegiance, Supremacy, and Abjuration, to any persons whom they may suspect, who, refusing same, shall be adjudged a Popish recusant convict!!!

No office to be held by any person, civil or military, unless they take the said oaths, and all heads of Colleges, Tutors, Preachers, Constables, Lawyers, Proctors, Attornies, Clerks, or Notaries, &c. &c., shall take said oaths; and any person refusing, and afterwards attempting to act in office, shall be disabled from serving at Law or Equity, from being guardian of his children, or executor or administrator, from taking by deed or gift, from voting for Members of Parliament, &c. &c., and shall also forfeit the sum of 500*l.*!!!

STATUTE PASSED IN 1719.

Any Mayor, Bailiff, or other Magistrate, being present at any religious meeting, other than the Church of England, as by law established, he shall be disabled from filling the office of Mayor, or any other office whatsoever.

STATUTES PASSED 1736 and 1757.

If any person neglecting or refusing to take the oaths and the Sacrament, and make and subscribe the declaration, shall execute any office, he shall be disabled from suing at Law or in Equity, from being guardian of his children, executor, or administrator, or from taking by legacy or deed of gift, and shall forfeit the sum of 500*l.* &c. &c.

And thus far for the toleration of Protestantism from 1546 until 1791.

THE END.

ANALYTICAL EXAMINATION

OF THE

PRINCIPAL ARGUMENTS

EMPLOYED IN SUPPORT OF

THE BILL FOR THE SUPPRESSION

OF THE LATE

CATHOLIC ASSOCIATION,

ACCORDING TO THE

REPORTS OF THE DEBATE IN THE HOUSE OF COMMONS,

FEBRUARY 10, 11, 14, 15, 1825.

BY

A MEMBER OF THE UNIVERSITY OF OXFORD.

"Time changes anomaly into system, and injury into right; examples "beget custom, and custom ripens into law; and the doubtful precedent of "one generation becomes the fundamental maxim of another."

HALLAM'S *State of Europe during the Middle Ages*, Vol. II. p. 300.

LONDON:

ROWLAND HUNTER, 72, ST. PAUL'S CHURCHYARD.

1827.

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PRINTED BY G. SMALLFIELD, HACKNEY.

PREFACE.

The following Work was designed, during the progress through Parliament of the Bill to which it relates, and was, very soon after, written as far as the part respecting the administration of justice. A long and painful illness prevented its completion at that time. This is mentioned merely to account for the manner in which events long since determined, are, in the early part of the Work, treated of as then present, or about to happen. It would have required more time to alter this defect in the composition, than it was worth, and as it could not affect any value the arguments may happen to possess, it was determined to leave it as originally written.

The hour of public excitement on this subject has for the present passed away, and with it, most of the attention this Work had any chance of obtaining: but the spirit which formed the Association has not passed away, and that which led to its suppression may revive in a new parliament, or live in the religious prejudices of the people at large.

It seemed that that crisis, which offered to the world the most unanimous and effective effort ever made by the Catholic body, and perhaps the most arbitrary instance of authority ever exerted against them in modern times, supplied an occasion peculiarly striking, for presenting to public consideration the nature of the general principles involved in both proceedings, and their bearing on the rights of all classes.

The writer is fully aware how difficult it is to give an accurate report of the arguments, and still more of the words of the speakers. He has sought for the best information he could obtain, generally making the extracts out of those newspapers that are considered favorable to the views of the speaker; comparing them with others, commonly reputed to contain the best reports (though unfortunately he has not always been able to procure the whole of these); with the reports and abstracts of the arguments contained in two late publications;* and lastly, with the reports given in several of the Irish newspapers. He believes he has thus obtained a tolerably accurate conception of the general arguments employed; and he has very rarely permitted himself to make verbal criticisms, though the temptation was sometimes considerable. However inaccurate or defective the reports which he has examined may be, it is certain the public have no better; therefore, though he may not have been able to do strict justice to the speakers, he has not attempted to deceive those to whom, of course, the Work is addressed.

Though the examination has been chiefly directed to the debate which took place on the days mentioned in the title-page, it was necessary to consider, and sometimes refer to, those which subsequently occurred, particularly that on Mr. Brougham's motion on February 18th, on presenting the petition of the Association to be heard by counsel at the bar, because some of the arguments and assertions previously employed, are there enlarged and insisted upon by those who condemned the Association.

* "Session of Parliament for 1825," and "Parliamentary History and Review, Session of 1825."

ANALYTICAL EXAMINATION, &c.

THE liberal sentiments, the vigorous tone of argument, and the impressive eloquence, which generally characterize Mr. Plunkett's speeches, naturally directed the writer's attention to that which he made on this occasion, as containing, if not all that could be said, certainly all that was best and most statesman-like.

The reader will, therefore, find his Speech the principal subject of examination. The arguments contained in other speeches have, however, been examined, wherever any general view of the subject appears to have been presented, which Mr. Plunkett has omitted because others had already discussed it, or which he seems to have rejected as injudicious.

After some introductory remarks, he proceeds thus:

"I trust it will appear to this House, that the measure does not interfere with any popular privilege in the Constitution of this country; I trust it will appear that it does not in the slightest degree injuriously affect the Roman Catholic Question; I trust there is every reason to presume that none of those melancholy and terrifying consequences that have been anticipated are likely to result from it. But though I am willing to rest this Bill upon the issue of the argument, by which every one of these assertions may be disproved, yet, independently of that proof, I do feel that this Bill rests *upon grounds of imperious and absolute necessity—upon that supreme law, which is paramount to every other when the safety of the State is interested, and which renders the adoption of this Bill imperatively necessary.*"*

The three first propositions are not subsequently sustained by any argument, and indeed seem to have been neglected, on the ground that the fourth proposition, if established, renders their proof needless.

The argument appears to be, that the existence of the Association threatens great and imminent danger to the country; that imperious necessity requires its suppression on the principle, *salus populi, suprema lex;* and that the remedy to be applied is not unconstitutional, injurious to just claims, or productive of other evils.

* Report of the Courier, 12th February, 1825; Supplement to the Dublin Evening Post, 17th February; Freeman's Journal, 16th February, 1825.

Now if such danger be proved to exist, it will be admitted not only that a moderate remedy should be applied, but that a remedy even of a most unusual and severe character might be justifiably employed; but the danger not being proved, it is obvious that the severity of the remedy becomes so much pure evil.—"If thy right hand offend thee, cut it off"—but do not cut it off till you be sure that it do offend you.

The whole question, then, is narrowed to the proof of the danger, and it naturally occurs that the best proof would consist in the production of all evidence in detail, since what is notorious can be easily proved, and what is not so should be strictly proved, before it be made the ground of a strong measure.

The production of detailed proof, however, seems not to be intended; the *proof* that is offered, consisting of general facts and certain inferences drawn from them, must therefore be taken. The legitimacy of these conclusions it is proposed to examine, rejecting only such facts as rest upon mere assertion, and are not only not generally admitted, but strongly denied.

The danger must be sought for in the constitution and the practice of the Association taken together; the extent of its pernicious operations should also be considered, that full justice may be done to the argument, which, it must be remembered, is to establish great and pressing danger.

The constitution of the Association can necessarily involve only principles. These may be at variance with the constitution of the State, but if not put in practice, they will not constitute such danger, and even though carried into practice, if not extensively, still danger will not necessarily arise. It is only by the union of unconstitutional principles and practices extensively operating, that such danger is created. The truth of this proposition will hardly be doubted if tried by applying it to other matters. It may be securely affirmed, that trial by jury, freedom from arbitrary imprisonment, and purity of election, are rights essentially constitutional; yet the Insurrection Act, the occasional Suspension of the Habeas Corpus Act, and the sale of seats in Parliament, violate each respectively; these measures, therefore, are necessarily, and are indeed admitted to be, unconstitutional both in principle and practice by those who have recourse to them; while on the other hand, their most violent opponents never pretend that the danger resulting from them, is of such terrible aspect, as that now under consideration is pretended to be. But extend their operation; let the two former be declared perpetual, and the last usage be

applied to all seats, and no man could doubt the magnitude or proximity of the danger.

It is obvious the above instances are merely illustrations of the position, that the danger in question can arise only from the union of mischievous principles and mischievous practices carried into extensive operation. To place the speaker's argument on narrower grounds, would be to misrepresent its obvious structure. It would imply a defect of judgment quite incompatible with his vigorous understanding; or it would imply that he attempted to deduce great effects from inadequate causes,—to infer extensive danger from principles and practices in their operation not extensive.

To return then to the examination of his argument, the basis of which, as above stated, (and it is hoped fairly,) naturally suggests a similar division of the examination. The positions, to be established are, first, that the principles of the Association are contrary to the letter and spirit of the Constitution, and to a great extent; second, that its practices are also contrary to the letter and spirit of the Constitution, and to a great extent.

There may be some difficulty in treating these questions separately, because throughout the Speech they are argued upon conjointly, and in fact the principles and practice are often necessarily involved in each other. For the purpose, however, of forming a just estimate of their nature, it will be useful to separate them where it can be fairly done.

The following passages seem to contain the Speaker's reasons for describing the principles of the Association as unconstitutional:

"Illegal is certainly one thing, and unconstitutional another—such has ever been the opinion of the most learned and eminent men; and there could be no doubt but the Catholic Association, both in its formation and practices, though not illegal, was clearly unconstitutional. I would say then, Repress associations—repress all assemblies against the letter and spirit of the Constitution. Do I deny the right of meeting? Certainly not. Do I deny the right of petitioning? Certainly not. Do I deny any of the privileges of our popular Constitution? Certainly not. But I most distinctly deny that any one portion of the people should impose commands and duties and taxes on the other portion, without either right or responsibility. I do not wish nor mean to argue this case like a schoolman. It has been said, it is unwise to prosecute this; but if there is a Body self-formed, self-elected, in the exercise of unlimited power, performing the functions of regular Government, representing six millions of men in Church and State, such Body, I say, is unconstitutional—dangerous to the Government of the country—and ut-

terly at variance with the tranquillity of the State. Such a Body, I say, encroaches upon Parliament, and is in direct, palpable, and hostile opposition to the Constitution."

Again,

"If the Association were composed even of the most prudent, the best and wisest men, what confidence could be placed in it, wanting those wholesome controls and guards that are found necessary to bind every legislative body? But by what are the Association bound? To whom are they to render account? Where is their responsibility? Who then is to stop them? It unites in itself all the powers of legislation, government, and the executive! Yet where is its right or responsibility? In our admirable Constitution, in that part of it that bears a popular character—in its democratic portion—if it were not restrained by wise and wholesome restrictions, it would be quite inconsistent with the Monarchy, and would trench on and annihilate all the other branches of the State. The King comes and opens this Parliament and can dissolve it—the Catholic Association acknowledges no authority, no power higher than itself. It elects itself—it legislates—it sits when and where and as long as it pleases, from January to December; and if all these powers may be exercised unswayed and absolute, it is a dominion and a greater and more uncontrolled than any tyranny ever exercised by the most despotic Prince. There was another power, of mighty import, which they usurped—that of public opinion. This they hunted after by all sorts of means throughout Ireland, and in doing it often shewed a total want of decorum and restraint. They went into all the houses in the country, entreating, but sometimes in the attitude of commanding, the inmates to subscribe and embrace or patronise their cause. Was not this contrary to the common proprieties and decencies of life? Thus they had a set, not small in number, of very unwilling converts. Now, should not such a Body, exercising such strange powers, and whose members amounted to three thousand, be suppressed? I will venture to allude to another topic connected with this Association: it has been before so fully, and ably, and eloquently elucidated by the Right Hon. Secretary for the Home Department, that I do not feel it requisite to say much on the subject. It is the most deep and deadly grievance of all—I mean, their interference in matters of justice. The prosecutor from the Association comes down vested with extraordinary powers, with all the delegated authority of 6,000,000; he prosecutes in the name of the people of Ireland. What prisoner can stand unabashed, or not tremble before such a fearful tribunal? How can he have any hopes when the grand interests of the people are his accusers, and when he is to be prosecuted by the majesty of six millions? In such cases the juries and public will yield to the special lawyers, or they will array themselves against them; and it is of little consequence which of these takes place; the evil effects are equal; and I know not which of them is more to be regretted—either is most deplorable. Should not this be looked into? Should it not be remedied? In fact, through it the Courts of Justice would become a mere arena for harsh disputation and angry feelings, and the source of justice would be polluted and poisoned."—*Mr. Plunkett's Speech.*

From the above extracts it will be necessary to cast out mere amplifications, and such general assertions as are either vague, or could never have been intended to be taken literally and in their full extent.

"There could be no doubt that the Catholic Association, "both in its formation and practices, though not illegal, was "clearly unconstitutional." This is a mere reiteration of the proposition to be proved. "Do I deny the right of meet- "ing? Certainly not. Do I deny the right of petitioning? Cer- "tainly not. Do I deny any of the privileges of our popular "constitution? Certainly not." This being only a disclaimer of any intention to violate the popular privileges of the Constitution, but neither proof nor argument that the measures proposed will not have that effect, may be regarded as immaterial to this examination. The next passage, "But "I most distinctly deny that any one portion of the people "should impose commands and duties and taxes on the other "portion without either right or responsibility," as an abstract proposition, is not to be contradicted; but the present inquiry regards not its abstract truth, but the propriety of its application to the Catholic Association; it is, therefore, merely another reiteration of the point to be proved. In the following passage, "If there is a body self-formed, self-elected in the ex- "ercise of unlimited power, performing the functions of regular "Government, representing six millions of men in Church and "State, such Body, I say, is unconstitutional, dangerous to "the Government of the country, and utterly at variance with "the tranquillity of the State. Such a body, I say, encroaches "upon Parliament, and is in direct, palpable, and hostile op- "position to the Constitution," the substance of the charge seems to be, that the body is "self-elected," and representing (virtually, it is presumed) six million of people both in Church and State. "Self-formed" is implied in "self-elected," and "in the exercise of unlimited power," is infinitely too vague to be regarded otherwise than as one of those exaggerations hardly to be avoided in a long and earnest speech, though unfortunately they too often supply the place of an argument, in the minds of careless auditors. If taken in its full, literal sense, it is obviously and absolutely incorrect, and no limits having been laid down, it may justly be deemed a vague expression. "Performing the functions of regular government." What functions? Certainly not all. However, as some limitation may be found in the previous charge of imposing commands, duties, and taxes, and in the subsequent one of interfering with justice, it is but fair to suppose that such limitation existed in the Speaker's mind, and to consider it

accordingly. The remainder of the passage, consisting of a mere declaration of the Speaker's opinion, that the character of the Association is unconstitutional and dangerous, may be rejected as making no part of the argument, whatever may be its weight as an authority.

To avoid repetition, the phrases and sentences in the remainder of the extract, and which are not of the essence of the argument, will be omitted, and the grounds of objection shortly stated without citing whole passages, it being the writer's object, having rejected what is superfluous, to arrive at the substance. "It unites in itself all the powers of legis- "lation, government, and the executive." If taken in its full extent, this is not true; for, to say no more, can a body "unite in itself all the powers of legislation," when its destruction by a paramount legislative body is at the very moment called for by the Speaker himself? Wanting any limitation, this assertion is vague and cannot be grasped. Again, "the Catholic Association acknowledges no authority, "no power higher than itself,"—"it legislates." In a similar manner may these passages be rejected as indefinite; for it cannot be intended to say, that an Assembly which appeals to the law for justice, as in its prosecutions; to the Government for inquiry and relief, as by its complaints of Magistrates and other executive officers; and to the Legislature for redress, as by its petitions, acknowledges no authority, no power higher than itself. The propriety of its appeals is not here discussed; the mere fact is sufficient to prove that an appeal to authority is incompatible with a denial of the same and of all authority.

Having thus endeavoured to cut off all superfluous matter, the next step is briefly to state the distinct substance of the charges against the principles of the Association, as contained in the passages cited; and to illustrate and enforce such charges by passages from other speeches, whenever there appears to be a coincidence of opinion between the Speakers.

The charges then are these:—The Association is a self-elected body; virtually representing six millions of men in Church and State; without control over its future proceedings or responsibility for its past acts; arrogating some of the functions of regular Government, and many of the forms; permanent in its sittings; assuming a power of interfering with the administration of Justice; and lastly, exciting counter Associations—for that danger is mentioned in a subsequent part of the Speech.*

* In Mr. Canning's Speech the charge is made in similar, though more

Now if it shall appear, that of the above charges, some, though admitted in their full extent, are not necessary or even probable causes of danger; that others do not exist, or do not exist to the extent asserted; that some are wholly immaterial, and others absolutely beneficial—it will hardly be denied, that the inference of great and imminent danger to the State, drawn from these charges, falls to the ground in so far as it rests upon an examination of the principles on which the body is constructed; the danger, it must be remembered, being of such a character and aspect, as to call forth the plea of necessity, that lawless master of mankind and serviceable slave of power—that "ever strong upon the stronger side."

The mere fact of self-election cannot be a cause of danger. It is an act of necessity; for there being but two modes of election, if one be prohibited, the other must be adopted, unless all aggregate bodies be forbidden; but they are not forbidden, and they exist, self-elected, throughout the three kingdoms, in the shape of clubs, societies, lodges, and associations—military, civil, religious, and political. Neither can the number be the evil, for some of these bodies far exceed the Catholic Association in that respect. Does the evil of self-election then arise from its conjunction with the virtual representation of six millions of men in Church and State? If there be no greater evil in the latter circumstance than in the former, their union will hardly produce it. If separately innoxious, they will scarcely be cumulatively mischievous. The fact of self-election, (though made an offence by almost every one of the principal Speakers,) is really an immaterial part of the charge, and to which proba-

rhetorical language than in Mr. Plunkett's. "Is it possible that any man, looking at an Association of this nature, at the means, the power, the preponderance of which that Association is acknowledged, nay is vaunted, to be in possession; at the authority which it has arrogated, and at the acts which it has done, can seriously think of giving stability and permanence to its existence? Self-elected, self-constructed, self-assembled, self-adjourned, acknowledging no superior, tolerating no equal, interfering in all stages with the administration of justice, denouncing publicly before trial individuals against whom it institutes prosecutions, and rejudging and condemning those whom the law has acquitted,—menacing the free press with punishment, and openly declaring its intention to corrupt that part of it which it cannot intimidate; and lastly, for these and other purposes, levying contributions on the people of Ireland; is this, Sir, an Association which from its mere form and attributes (without any reference whatever to religious persuasion) the House of Commons can be prepared to establish by a vote, declaring it to be not inconsistent with the spirit of the Constitution?" See the "corrected Report of Mr. Canning's Speech," published by Murray, p. 9. Also pp. 18, 19, 22, 23, cited hereafter.

bly no very definite idea of evil was attached in their minds. This will appear, if that which is the substance of the charge, namely, the evil of representation, be assumed, and self-election be also assumed to be an aggravation of that evil; then it would follow, that the only other mode of constituting the Association would be less objectionable; but the only other mode is actual election, which is confessedly more objectionable, inasmuch as it confers a more authentic character of representation. Admitting, then, the evil of any form of representation, it appears that self-election is, of the only two modes by which a representative body can be created, the less objectionable. But if this be true when evil does result from representation, (which for the sake of the argument has been admitted,) it cannot be less true, if it shall appear that representation is not an evil—the proof of which will be attempted in the following pages.

That a precise idea may be attached to the terms of the charge, it will be necessary to consider generally the nature of representation, when employed for the construction of a supreme legislative body; and to shew in what respect the power conferred upon it, essentially differs from that conferred upon other large bodies, by those they are said to represent; and thus some approximation may be made, towards a distinct idea of the evil likely to proceed from the kind of representation attributed to the Catholic Association.

A real and full representation of a people means, that the representatives are entrusted with nearly the whole social powers of the constituents, for a given time, and for various purposes, definite and indefinite, but all comprised under the idea of the general good. The constituents say to their representatives, "Whatever you decree, that, we are prepared to do or to suffer."* Public opinion is the basis of the whole system, because it is the public opinion of the trustworthiness of the representatives that causes them to be elected. Worthy of what trust? A trust of no lighter import than the whole political will and power of a nation, for they represent both.

In a system of perfect representation, public opinion will control and guide the representatives in their acts; or it may rather be said, that public opinion and the opinion of

* Certain natural rights, such as that of not being punished without guilt or trial, that of self-defence, &c., which no people ever can deliberately intend to resign to the discretion of others, are of course not included in this remark; and the terms "social powers" are expressly used to guard against any such interpretation as would imply the exercise of powers incompatible with the healthy existence of society.

the representatives will coincide. This will, in some degree, be the case also under a defective system.

Let this great principle of opinion be followed in the course of its operations, and its *direct* and *indirect** power will be found to be materially different at different times, and as applied to different bodies or subject-matter.

Perhaps the greatest and most consummate exercise of the social power of a nation, is the creation of a legislative body, in other words its election. Both the existence, and the materials of which this legislative body is composed, are determined by the will of the majority, that is, by public opinion; for by that the public will is determined. The elements of this public will and opinion are, the will of each individual, determined in a similar manner by his opinion directly prompting him to make a choice. In every such case, opinion directly and immediately suggests and regulates the exercise of so much political power as each man possesses. Separately taken, the power of each individual may be feeble for the accomplishment of his purpose, and his opinion consequently unimportant, but the force of all those opinions united, becomes supremely potential.

"Sands form the mountain, moments make the year."

When, however, the *direct* power of opinion has thus put forth its energy in the creation of a new body, endowed with a potentiality, by its extent and duration, of a new and most formidable character, it may be said to have performed its function.

Henceforth it ceases to operate immediately on the legislative body, to whose preservation, or to the exercise of whose functions, it is no longer essential. The representative body is now, by the act of a nation, invested with a separate, real, and concentrated power; full of activity, and with hardly any assignable limits, though by no means exerting itself in such an unbounded degree.

By what then is it restrained? By the *direct* power of its own opinions, and by the *indirect* power of public opinion. For if the same power of public opinion which created the

* Having frequently used these terms, it may be necessary to explain the sense in which they are employed. The *direct* power of opinion can determine the conduct of him only, who entertains the opinion; the *indirect* power, before it can determine the conduct of another, must first influence the opinion of that other person, which then by its *direct* power immediately determines his conduct. The nature of the various motives which induce men to adopt or relinquish opinions, is a distinct consideration, which has no place in this discussion.

body, were supposed to operate upon it directly, it could do so only in one way; by resistance to and dissolution of its authority either wholly or partially; since, as the proposition implies a difference of opinion, it follows that, in whatever instance the opinion of the legislative body is directly controlled in action, so far its power is destroyed. The direct force of its own opinions is the efficient, and indeed the only proximate cause of the legislative body exerting its power in the shape of distinct measures. Whatever may be the opinion of the nation, it cannot (so long as it permits its legislature to exist) act upon that opinion to the extent of directly restraining, however it may influence the exercise of the legislative power.

In the next shape which power assumes, its character will be found to change still farther. That shape is a law, in the creation of which, a process takes place analagous to that which created a legislative body. This law is the result of the direct power of opinion—the opinion of the legislative body, expressly impelling it to the performance of a distinct act. And here, as in the other case, a separate and real, but precisely definite power, a power which is irresistible within the sphere of its action, is conferred upon this new being; which, as long as it exists, cannot again be subject to the direct power of that opinion which created it; and which (for an essential change of character occurs here) is in no degree whatever subject to the *indirect* power of opinion, either of the nation, or of the legislative body. A law has no discretion, on which quality alone the indirect power of opinion can operate. It may be destroyed as it was created; but while it exists, it is wholly impassive, and all-sufficient for its ends.*

Now let the nature of the Catholic Association be examined with reference to the principles just laid down, in order to ascertain whether it has encroached upon the sovereign character of a legislative body, such as has been described. Admitting the Association to be the representative of the Catholics of Ireland, (a phrase which has been re-echoed in and out of Parliament, as if it were the acknowledged name of the evil principle; as if the word representation were the mark on the forehead of the beast,) to what does the accusation amount? Has that body received from its constituents by any agreement, expressed or implied, a power over their property, lives, or liberties? Is that power for a given time

* All the instruments required to carry a law into effect, are, of course, considered as parts of the law itself, which, for the convenience of the argument, has been treated of as a sentient depositary of power.

irrevocable? Have the constituents renounced the right of resuming it? Lastly, does it represent, or pretend to represent, the whole nation? The most vehement of its rational opponents will not venture to answer these questions in the affirmative.

What then does it represent? In one word, opinion; the opinion of a class. That is the creator of the Association, and it results from the feeling of common grievances. This is the source and fountain of the Association's power, whatever that may be. Whom shall we blame if the waters are bitter?

Opinion, then, is here also the basis of the system, and here also it confers power, political power; but it is only that species and degree which all bodies may possess in common with the legislative body, without creating just grounds for jealousy, unless it be asserted that the legislative body is the sole and exclusive depositary of all political power; a position quite incompatible with the existence of elective bodies, of corporate bodies, and even with the right of petition, whether individually or collectively exercised.

But in this case, supposing that the Association had been created by the Catholic Body actually calling upon some of its members to assume that corporate capacity, (which is supposed, not because it is the fact, but as the most favourable assumption for the argument of its opponents,) even then, could opinion be said to have put forth its strength; constituted a body endowed with real and distinct power, indefinitely great; resigned for a certain time all dominion over the acts of that body; and to have spent both its controlling and creative energy in the effort? The very contrary is the fact.

And here is shewn, at once, both the strength and feebleness of such a representative body as this. Opinion is the very breath of its life; nor let it be forgotten, that it is the opinion of a class only, not of the whole nation. Opinion is not only the creating, but it is also the sustaining principle; withdraw it, and the body expires. The power it confers, which shall be more minutely considered hereafter, is neither distinct, nor independent, nor irrevocable. Mere verbal approbation may indicate public opinion, but conveys little real power. When followed up by acts, as much power as those acts imply, opinion confers; thus, to pay money (for money as well as knowledge is power) is to bestow power, but not independent, irrevocable power, since an account of its employment may be required; sometimes it may actually be reclaimed, and its future supply may always be withheld.

A series of acts on the part of the constituents, is therefore requisite to indicate the continuance of their opinion in favour of the constituted body. It is, however, not only in a direct mode that opinion, by disclaiming its proceedings, by flatly denying its authority, and by disregarding its mandates, can easily and irresistibly annihilate the Association; but its indirect operation controls that body much more effectually, than it does the sovereign legislative body; for the former knows that the thunder may strike as well as threaten, but the latter is above the storm, and need fear such a convulsion only, as would shake the whole fabric of society. The former cannot venture to adopt Drawcansir's principle, "All this I do, because I dare."

The difference between the two bodies, necessarily resulting from the principles of their constitution, having now been pointed out, it remains to examine the exercise of the power entrusted to the Association, such as it is, and to compare, or rather contrast it with the exercise of power by a sovereign legislative assembly. The difference will appear still more marked and decisive. The one creates that irresistible self-acting machine called a law, moving on with a definite but absolute force, utterly independent of the power of opinion, direct or indirect. The acts of the other possess no such characteristics. They are not the mandates of a supreme, to a subordinate will; but appeals by an inferior to a superior authority, by the constituted to the constitutent body, requesting its approbation and its aid; they are wholly dependent upon opinion, and possess not a particle of force but what is thence derived; their momentum varies directly as that of opinion, and, if that take an opposite direction, they instantly become inert. Though the measures of this body be resisted arbitrarily, with no better reason vouchsafed than "*stat pro ratione voluntas*," those who proposed them are obliged to submit in silence.

Apply this to that act of the Association which most resembles a law, which has been most insisted upon by its opponents, and, under the false description of levying a tax, held up as a mark for the indignation of the people, and as a proof of oppression. Though it is unnecessary to describe minutely the nature, machinery, and energetic operation of a tax when imposed by the sovereign legislative authority, it being presumed that most readers are familiar with the subject, yet it may not be useless, for the purposes of the argument, to recall the leading peculiarities of a real tax. He who pays it, well knows that he does not always pay it for the purposes he most desires, nor to the persons of whom

he most approves, nor in the proportion he thinks most equitable, nor at the time most suitable, nor in the manner most convenient, nor under the circumstances most conciliating. He pays it, not at the demand of a creditor, the request of a friend, nor the prayer of a dependent, and therefore knows he must not expect to obtain repute for his punctuality, thanks for his complaisance, or gratitude for his bounty. He is still an unprofitable servant. Contention with it is fruitless, and escape from it is hopeless.

"Scandit æratas vitiosa naves
Cura: nec turmas equitam relinquit
Ocior cervis, et agente nimbos
Ocior Euro."

If he supplicate its mercy, he finds it as inexorable as death: —the resemblance, however, does not hold throughout, for

"Pallida mors *æquo* pulsat pede *pauperum tabernas*
Regumque turres."

But are these characteristics of the Catholic Rent? Strike out the negative, and might not almost the whole of the foregoing description be applied to the payer of the rent? He pays it for an object he would obtain, to persons he esteems, it is not burthensome by its amount, nor vexatious in its collection. But if it were, may he not resist it altogether?

That it is entirely a voluntary payment (notwithstanding the assertions that have been made to the contrary) seems as nearly certain from its intrinsic evidence, as, in the absence of all external proof, can be well expected or required on such a subject. When first announced by the Association it was declared to be a voluntary contribution. If that, however, be called a mere device, to conceal the real design, it is equivalent to saying, they proclaimed with a loud voice what they did not mean, and communicated their real wishes in a whisper. This might succeed in a room, or in a small assembly, but does not seem a judicious mode of explaining their object to several millions of people, who must hear the one, and might, either not hear or not regard the other. In the next place, there can be no doubt whatever that a part of the subscription has been voluntary; for, if not, if the whole have been obtained by compulsion, by what kind of compulsion has it been extorted? By holding individuals up to the reproach of their neighbours? This would hardly succeed; for by the supposition, their neighbours had either not subscribed at all, or been compelled to do so; and, in either

case, would scarcely be disposed to blame others for refusing what they had not done themselves, or done reluctantly. But a few would subscribe willingly, and the fear of their censure would compel the remainder: this is an admission that some are voluntary subscriptions. A few, however, could scarcely produce such an effect. The few must be distributed so as to communicate with the many, and the many being spread over a large surface, the very distribution requisite for the operations of the few, must at any given place so reduce their number and weaken their authority, that the many, the reluctant many, (for if not reluctant there could be no extortion,) would utterly disregard the terror of their reproaches. It seems then not probable that any thing less than a large body of voluntary subscribers could intimidate the remainder.* It may also be reasonably supposed, that the Catholic nobility, gentry, and clergy, and all Protestants are willing subscribers; for who should intimidate them? But after these deductions, there remains a large body of unwilling subscribers, from whom the rent has been extorted; on whom it operates as an oppressive tax, raised by improper influence and by intimidation. Let it be so stated. Those who accuse the Association of such practices must admit that it would employ the machinery of oppression to get all it could; for men seek the wages, not the office of injustice. Whether this high-pressure engine has been employed or not, will be made tolerably apparent by a few calculations, all taken most favourably to the assertion that it has.

* Religious influence, it will be said, has been exerted by the priests. If proof of that having been extensively practised could have been adduced, it is not probable it would have been omitted. The various opinions expressed respecting the priesthood, afford a strong presumption that no such proof existed. Mr. Dawson, in angry terms, reproached them as the source of most of the violence and sufferings of Ireland. Mr. Goulburn declared, that under the political influence of the Association, they used their spiritual authority to enforce payment of the rent. Mr. Leslie Foster stated, that they explain the nature and object of the rent to the people, assuring them that it will lead to some great and undefined good, and that this explanation immediately converts a reluctance to subscribe into an enthusiastic desire to do so. Mr. Plunkett said, they are "a most excellent, useful, and most calumniated class," he attributed much of the tranquillity of Ireland to their exertions, and said, that they were not favourable to the Association, which robbed them of their natural influence. Can such diversity of statement and sentiment among members of government, be reconciled with the belief, that evidence existed of a general system of extortion carried on by the priests?

Suppose the Catholics (a low estimate) to be	5,000,000
Allowing the very high proportion of seven to each family, the number of families will exceed	714,285
Allowing each family to be worth six-pence a day, which, taking into calculation the number of Catholic families not only in good, but in wealthy circumstances, is probably not a third of their daily receipts, the annual income of each family will amount to	£9 2 6
And their total income to	£6,517,850
Let each family pay one shilling per annum for Catholic rent; the total will be	235,714
And the sum to be raised from each family would be less than the $\frac{1}{185}$ part of their income.	

Thus far as to the pressure of the tax, next as to the mode of collection.

There are two thousand five hundred parishes, giving on an average for the number of families in each parish, not quite	286
There are twelve collectors to each parish, therefore one collector for about, families..	24
Who would each have to collect annually about	£1 4 0

This calculation shews that the mode of collection is very easy, the fund out of which this alarming tax is paid very large, and the tax itself very small. Do not these circumstances afford great facilities and temptations to fiscal extortion? It is doubtful whether the financial virtue of even regular governments would resist such allurements. That, however, is not the question; it is, would such a political monster as the Catholic Association resist the temptation? Those who charge it with having conceived the design, and devised the means of oppression, must answer, "It would not," unless they suppose its members (unlike all other men) willing to incur the odium of oppression, but renounce the profits.

But what is the fact? Their accounts up to the end of December 1824, examined and published by the auditors with their names, shew that the receipts in eight months have been under £9000, being at the rate of something less than £13,500 per annum. This is much less than two-fifths of the sum of £35,714 that might be raised by demanding a *penny a month* from each family as we have seen, and which was but the $\frac{1}{185}$ part of the lowest rate of income of the poorest families. The sum actually raised, therefore, is

about the $\frac{1}{17}$ part of such income; that is, less than a half-penny a month from each of 714,285 families, rich and poor together. If this be extortion, in what species of coin can voluntary contributions be paid?

It is no answer to say, the rent, if allowed to go on, may increase much beyond the calculation—oppression may be practised. God knows it may! There is no tense, past, present, or future, in which the probability of oppression may not be predicated. But the argument is, not what may be, but what in this case has or has not been; and that oppression has not been exercised, it is conceived the above calculation abundantly proves. The assertion is, that it has been practised, in proof of which assertion no evidence has been offered.*

How then, it may be asked, is the self-denying conduct of this body to be explained? Does it not feel such temptations as have been described, and why has it resisted when others would have yielded? For the very reason, and on the very principle that others would have yielded: its interest, which taught it that a moderate sum paid with the good will of the people was more conducive to its object, than a larger sum extorted from their fears.

Though most desirous not to strain inaccuracies into contradictions (particularly when the words reported have not been authenticated by the Speakers), yet the writer cannot help here taking notice of the inconsistency of the argument employed by some of those gentlemen—that the Association virtually represents the people, and that it at the same time oppresses them.† Representation is a relative term. There

* During the progress of the Bill for the suppression of the Association, the rent increased largely, in some instances to the weekly amount of about £1000. A period of such excitement does not, however, afford as correct data for calculating the annual average amount, as that which has been adopted. This rapid increase of rent affords a presumption, not only of the voluntary nature of the payment, but of the general and zealous feeling in favour of it. A system of mere extortion [redacted] have produced such a sudden augmentation of the weekly amount.

† "It has been said by some Hon. Gentlemen opposite, and their evidence is of no small value on this subject—it has been said by these Hon. Gentlemen, that the Catholic Association is the virtual representative of the Catholic people of Ireland. Testimony of this kind is valuable, and with the admission made to me, I ask if it do not afford the grounds for now applying to Parliament?"

"This tax I call an onerous and a grievous tax, and I know it is so considered by many amongst the Catholic body."

"There are persons who thought the rent an infliction; that the peasantry, who laboured hard and yet in distress—that persons wanting sustenance for their families or the means of providing education for their

must be one who desires to represent; another who desires to be represented, and the latter must indicate his desire by some outward act. The most obvious is actual election; but that is not pretended to have been the mode in this case. Neither can the approbation of the Catholic aggregate meeting be urged as the proof of this virtual representation, for that body is asserted to be merely the Association under a different name. It may be assumed that the best proof is the payment of the rent, as it brings the greatest number of individuals into immediate contact with the Association. Indeed, free contribution is generally found to be a more accurate measure of real sentiment than words. But if the money be extorted from the people, or from a part of them, it ceases to be a proof that any representative connexion exists between such part and the Association; and where else can that proof be found? If extortion be extensively practised, the idea of representation falls to the ground. If the charge of representation be correct, the charge of extortion, as an evil pressing on the people of Ireland, must be relinquished. The error has probably been caused, by hastily drawing a general inference of oppression from a few individual cases; for if they had been numerous, they must have suggested some doubt of the Association representing the Catholic body. At least similar grounds have excited similar doubts of the representative connexion between bodies larger than the Catholic, and assemblies of less questionable legitimacy than the Association.

There is a strange and dangerous error involved in the assertion, that the Association "represents six millions of

children—there are persons so thinking, and all advised their tenants against the rent, and what has been the result? The priests have denounced them; they have been held up to exposure, to reprobation, and scorn, and ultimately to more imminent dangers. Before I come to the application of the money thus raised and torn from the people, I beg to explain myself."—*Mr. Goulburn's Speech, New Times*, Feb. 11, 1825; *Freeman's Journal*, Feb. 14.

"All that seemed wanting to finish the picture, was to levy taxes; and have they not done so? He might be told that the subscription was voluntary; but they knew little of the state of Ireland who thought the people had that redundancy of wealth which could properly enable them to pay this tax."

"He asked, should there be two houses of parliament sitting together from day to day and week to week? True, the Association disguised that with no little ingenuity; but while it was admitted that they were the virtual representatives of the people, in what other light could they be viewed than as another house of parliament?"—*Mr. Doherty's Speech, Courier, Freeman's Journal.*

Similar sentiments, but somewhat more strongly expressed, appear in the *Morning Chronicle* of Feb. 12.

men in Church and State," and that it at the same time encroaches on the authority, and threatens the existence of Parliament.* If these be both true, there is no evading the startling conclusion, that six millions of people are, through their representative body, declaring their hostility to the authority and existence of Parliament. Happily this is not true. No man has or would so calumniate the whole Catholic population, especially when he recollects that the Catholics both aided in the creation of [illegible] its w[illegible]rliament by their votes, and are now most earnestly [illegible]rs the[illegible]ting for admission within its walls. But the[illegible] has spilt. [illegible]ation does not represent the Catholics. Th[illegible]t it b[illegible]o often [illegible]d, for that it does, is the very fact on which t[illegible] the [illegible]rif[illegible] is founded. But representing the body of the [illegible], and they not being hostile to the authority or to the existence of Parliament, how does it happen that the Association is? If both assertions be true, let those who made them reconcile them. Till that be done, ordinary minds will be disposed to deny that there is hostility, either in the acts, or in the spirit of the Association.

* "Representing six millions of men in Church and State." "Such a body, I say, encroaches upon Parliament, and is in direct, palpable, and hostile opposition to the constitution."—*Mr. Plunkett's Speech.*

"But, Sir, although the Catholic Association has not openly assumed this representative character, I cannot shut my eyes to the fact, that such a character has been attributed to it by others: and if notoriety be, as undoubtedly it is, a ground upon which legislation may be founded, the repeated statements which have been made in this House, during the present debate, that this Association is, and is held to be, the virtual representative of the people of Ireland, call upon the House to consider whether such an Association can co-exist with the House of Commons. Can there, I ask, co-exist in this kingdom, without imminent hazard to its peace, an assembly constituted as the House of Commons is; and another assembly invested with a representative character, as complete as that of the House of Commons itself, though not conferred by the same process? Does not the very proposition that such is the character, and such the attributes of the Catholic Association, even if not actually true at the present time, warn us at least what the Association, if unchecked, may become? And if the Catholic Association, with the full strength and maturity of the representative character, could not (as assuredly it could not) co-exist with the House of Commons; shall we not check the Association in time, before it has acquired that strength and maturity?"—*Mr. Canning's Speech*, pp. 18, 19. Again, "This opinion, Sir, I formed on two grounds; the first embracing that general view, upon which I have argued the necessity of bringing in this Bill at all,—namely, that it is not fit that there should exist, under any circumstances, a body holding itself forth, or described or recognized by others, as the depositary of the confidence, and the organ of the will, of the whole Catholic population of Ireland; nor could any such body, however constituted, be tolerated in the exercise of such assumed functions; seating itself, as it were, by the side of Parliament, and intercepting the allegiance of the people."—*Ibid.* pp. 22, 23.

The above remarks on representation, do not pretend to embrace more of that important, but ill-understood subject, than is requisite for affixing precise ideas to a term, the application of which to the Association and similar assemblies, is calculated utterly to mislead that common indolence of mind, which is as well satisfied with a general term, as with a precise and valid reason. Costard, upon receiving three farthings [illegible] in the name of "a Remuneration!" exclaims, "Remuneration, [illegible] that's the Latin word for three farthings: three farthings [illegible] it is demanneration. What's the price of this Incle? A penny bearing [illegible] you a remuneration. Why, it carries it. [illegible] men? [illegible]! Why, it is a fairer name than French crown. [illegible] whever buy or sell out of this word."

The object of those remarks was to shew, that public opinion is the common basis of the political power of both bodies; but, that universal public opinion supports the one, the public opinion of a class the other; and, had this been the only difference, it would have seemed sufficient to secure the supreme body from any encroachment.

In following the operations of public opinion, the design was to trace its varying but always substantive character of power, as it assumes the forms of a real legislative body, and of a law; and to exhibit the want of this substantive character of independent power, in such an assembly as the Association, and in its acts. The one, by the intrinsic power of its construction, moves on through calm and storm, with little variation in its rate; while the other lies, like a log upon the waters, if not constantly impelled by public opinion.

Here it may be asked, To what does the whole argument tend but this, that there exists a body possessed of political power, derived from public opinion, dependent on it, and whose strength must increase in proportion to that of public opinion? And is not this the very evil complained of, and the very danger to be repressed?

Complained of the body is, and repressed it will be; but that it is an evil, and that with it the danger will be repressed, is far more doubtful. If this state of things be an evil, its source is deeply seated in human nature; for, as

> "The blood still follows where the knife is driven,
> The flesh still quivers where the pincers tear,"

so surely will griefs and wrongs extort complaints, and generate common feelings and common opinions. The feeble will lament, and the strong will demand redress,—

temperately, while they have a hope of obtaining it:—but despair is never temperate.

The desire of equal rights, the passion of liberty, is always strong in the heart of man; he feels it by nature; reason teaches him to justify it; numbers, wealth and knowledge give him the means of gratifying it. It has appeared, and is even now appearing in all parts of the world, and in all forms, from that of the ever-praying petition, to that of pitiless, remorseless civil war;—yet in its worst and most appalling form, it has wiped more tears than it has drawn, and saved more blood than it has shed.

But why must it be purchased at its highest price? If it be worth the price of tears and blood, is it not worth that of illiberality and injustice?

Will the disease be cured by prescribing for the symptoms? Will the danger be eradicated by cutting off this vigorous shoot? If the answer be sought for in general principles, it is, They will not: for nothing can prevent the effect, but removing the cause. If sought for in past experience, it is, They will not: for the aim of former acts was similar to that of the present bill, and its present necessity proves, that they, at least, have been ineffectual.

Doubtless the Association may be put down, but it will not be forgotten. The sails of the vessel may be rent, its masts shattered, its whole structure broken up, and the rich freight of a nation's hopes scattered on the waters. Those who built and sent it forth, may behold its wreck; and though there may be,

> "The lonely mountains o'er,
> And the resounding shore,
> A voice of weeping heard and loud lament,"

yet they may submit in peace and perish in their wrongs. But their spirit will survive, and descend from the parents to the children; and when those it once animated are no longer able to do its bidding, it will seek fitter instruments in their more vigorous offspring. They will all inherit it by the distributive law of nature, giving to the bravest hearts and most generous minds the largest portion. New beings are daily and hourly springing into existence, acquiring knowledge, and coming forth into action, their minds filled with the energy of youth, and tainted with the rancour of inveterate wrongs. Their number will be augmenting, their wealth accumulating, and their knowledge ripening into wisdom. They will justly appreciate their own strength, and reflect on their parents' errors; while the master passions,

the hatred of injustice, the desire of redress, and the love of freedom, not merely civil and religious, but the security for these, political freedom, freedom of doing all that is not morally wrong, and which they see millions of others doing unquestioned and unblamed—will survive in their native and original vigour; for in the passion of liberty there is a royalty of nature that never dies.

Will there be no danger in such a state of things? And can the peevish policy that mistaking temper for dignity, would deny justice because it is demanded somewhat haughtily, expect a more obsequious bearing, or a more absolute submission from such a race of men?

"The next branch of the charge against the Association, is in substance, that it is without control over its future proceedings, or responsibility for its past acts. Having first, therefore, examined into the nature and necessity of control and responsibility as applicable to a public assembly, and particularly to the House of Commons, (because a sort of running contrast in these respects is made between its constitution and that of the Association,) it will then be considered how far such control and responsibility ought to attach to the Catholic Association, to prevent its noxious qualities from quickening into mischief; and how far they actually do attach to it.

The object of control and of responsibility is the same, namely, the prevention of evil. For though responsibility has a reference to past acts, yet it is the knowledge of this responsibility that operates as a previous restraint; and it is no matter whether it lead to direct punishment, or merely to making a recompense for the evil done. But though the object be the same, the effects are materially different. Control is certainly the more effectual to prevent mischief, where mischief is certainly designed; but, if the controlling power err in judgment, it may repress good instead of evil. The good or evil no longer rests in the judgment of the agent, though in general he best knows the design and tendency of his own acts, and certainly of his own motives. It is he, too, who has probably with most solicitude considered his means and their adequateness to the end proposed. Yet, however pure his intentions, and however judicious his measures, he may feel that he so entirely depends on the judgment, perhaps on the passion, certainly on the decision of another, that few, but sanguine, bold and persevering men, will waste their time, labour, and life in such precarious speculations. Much useful enterprize will be thereby nipped in the bud; and much that may be near maturity, will be blighted, unless the controlling

authority be gifted with judgment of the highest order, and with a total absence of all passion. It becomes, in fact, the sole and supreme judge of all that is, or may be useful to mankind—an awful undertaking, in which, probably, no man or body of men would venture to engage, if plainly laid before them. He who has a controlling power, before he can honestly exercise it, must satisfy himself of two things; first, that the design he apprehends, is really entertained, no easy task, before it takes the form of action; and secondly, that if executed, the act will be mischievous. Under a system of responsibility, the latter, which is the easier, is the only question; for the act must have been committed before the agent can be called upon to defend his conduct, and it can seldom be doubted that there was a design to do, what has actually been done. On the other hand, responsibility, though not so absolute in its pressure upon evil designs, is much more discriminating, because it weighs heaviest upon the minds of those most conscious of evil intentions. The motive, the design, the deed, and the punishment, appear to their contemplation linked together in most ungrateful union. Even they who act from the purest, holiest motives, and with the best designs, still cannot but fear, that the acts may be mischievous in spite of all their cares and pains; or, not being mischievous, that those who are to decide on the deed, may err from a thousand causes, or may yield to passion, and inflict injustice on the heads of their benefactors. But it is in such cases, that the good will feel the sustaining power of virtue, and its union with wisdom: apprehension will but excite their minds to a searching inquiry into the truth and utility of their plans (for thus wisdom is acquired), and those being established, they will do the deed, and encounter the danger, knowing that though the actor may perish, the action will survive.

Let these distinctions be applied by way of illustration to the question of a free press. Let any one look at the list of prohibited works, in countries where a censorship is rigidly exercised; where control, not responsibility, is the regulator of the human mind, and imagine, if he can, what would be the state of the world had all the works he will there find prohibited, never been produced; for had the licenser power, he would as surely have repressed or destroyed, as he now prohibits them. The state of any such country at present existing, cannot give an adequate notion of the palpable darkness that would have enveloped the world, had the system been universal; for now, even in those countries,

the light of other lands may be seen, as a blink in their sky, to cast

"A little glooming light, much like a shade."

If the force of the argument be obviously great, when made to bear on the freedom of the press, can it be weak when applied to all other forms of human action? The publication of men's thoughts and information is but one of them, and if a previous censorship over this form of action be confessedly mischievous, can one over all others be useful? All men, in speculation, own that thought should be free; but if one man's thoughts should be free, so should every man's, and it matters not from what his thoughts arise, whether they result from the construction of his own mind, or from the suggestions of others. It is not the verbal expression of thought, nor even the sacred source from whence it came, that makes it suggest action, since "Do unto others as you would they should do unto you," is not wanting in any force that language or authority can bestow: yet how seldom does it take the character of action! It is the truth and vigour of the thought conjoined with the fertility of the mind in which it has grown naturally or been planted artificially, that makes it fruitful. But an attempt to affix any previous control to men's actions, (except that supplied by a system of responsibility,) is in effect to attempt restraining men's thoughts; for acts designed, but not yet performed, are really but intentions or thoughts; they can only be guessed at and suspected from their supposed connexion with other acts performed, which, however innocent in themselves, must thus be repressed as the symptoms and harbingers of secret evil. Here then, a door is opened to admit all the mischief of repressing men's freedom of action on all subjects, and to an indefinite extent. The process is as follows: 'We are not satisfied with the sort of preventive security against offences, that responsibility gives; we will prevent them by other means; therefore every act shall be forbidden that appears, in our estimation, to be symptomatic of latent danger, or leading to offences.' But this necessarily is, to forbid only innocent acts, (for guilty acts are already forbidden upon another principle, that of responsibility,) and there is no limit to the connexion that may be presumed to exist between innocent acts and guilty designs, hence no limit to the restraint which may be imposed on freedom of action; and the good repressed, in other words, the evil permitted, will infinitely exceed the evil prevented. This result is strongly exemplified under

the police systems of despotic sovereigns. The constant attempt to repress action by a system of previous control, must in many cases actually repress the freedom of thought, and so impair its native power, for men will not engage in barren speculations. Happily this great power cannot be entirely shackled by any human authority or contrivance, and if left at all free, shall it not produce results? Can the Spirit move on the face of the waters, and yet all be dark and void?

To repress human thought and action is certainly not the law of the Being who made us. In doing good or evil, we are alike free from any previous restraint; but we know the penalties of sin both here and hereafter. We are responsible beings. Acts may be punished, but our power of action is uncontrolled.

If the above remarks be sound, there can be no hesitation about preferring a system of responsibility to one of control. It is infinitely less uncertain in its effects, and may be almost (if not wholly) as efficient; for its efficacy depends on the skill and policy with which the laws are constructed, upon their just adaptation to offences, and upon the promptitude of their administration, it being obvious that a responsibility to the law is understood throughout these observations. Applying what has been stated to a supreme legislative assembly like the House of Commons, it will be seen that a controlling power, if any where necessary or judicious, is so there. It never can be the design of a rational system of Government, that any assembly should be wholly without restraint and absolute in all points. But to what tribunal, or by what law, can a supreme legislative body be made accountable for its acts? for it is to acts that responsibility attaches. If it could be guilty of attempts directly illegal, the sole remedy would seem to be, to disregard its authority, relying on the executive and judicial powers not becoming ancillary to its proceedings. But if such a body were not liable to responsibility, whenever it might be suspected of any insidious designs, there could be no check on its conduct except previous control, which thus from the necessity of the case becomes the only available instrument. There is no danger of this power being often used rashly or arbitrarily, because of the great authority of the body; whose place likewise is quickly supplied by a new assembly, intended to resemble it in every respect, except in its objectionable designs.

The modes of control applicable to the House of Commons seem to have been considered as, first, the power the King

has of assembling Parliament. "In our admirable constitution, in that part of it that bears a popular character, in its democratic portion—if it were not restrained by wise and wholesome restrictions, it would be quite inconsistent with the Monarchy, and would trench on and annihilate all the other branches of the State. The King comes and opens this Parliament and can dissolve it—the Catholic Association acknowledges no authority, no power higher than itself." But though the King may choose the time of assembling Parliament, he cannot postpone it indefinitely; and it appears hardly correct to consider a power of calling a dormant body into action, a means of controlling its action. Secondly, the King's power of dissolving. The reason why this power is vested in the Crown, is said to be, the danger of the democratic part of the constitution encroaching upon, and overwhelming the other estates. The power of dissolving possessed by the Crown, certainly affords some security against democracy, but, unless connected with other securities which it calls into action, its value would not be either great or constant. The people have in the dissolution of Parliament by efflux of time, a stronger security against oligarchy, because in the case of the Crown, though it can dissolve, it cannot recompose; in the other, though the law dissolves, yet the dissolution cannot be deferred, and the people recompose the assembly as they please.* The object of a dissolution upon any apprehended design of the Commons, being to procure a new assembly, less democratic in its sentiments, (the preponderance of that power being the danger feared,) it seems a strange remedy to appeal from the democratic Representative to the Democracy itself, since, if their opinions coincide (and it has seldom happened that a democratic tendency has been displeasing to the people) Antæus will rise from the earth stronger than he fell, and (not to speak irreverently) "the last state will be worse than the first."†

The mere power of dissolving might sometimes become nugatory as a check, or even pernicious; for when the measures of the Commons are obnoxious to the Crown, and yet

* If the mere power of dissolving afford a security to the Crown and the Aristocracy against the House of Commons, it would, at first sight, seem as if the two former ought to join in opinion with the advocates for short Parliaments, who propose their plan as a security for the People against the Crown and the Aristocracy: but there is this essential difference in their doctrines; it is the policy of the People that the House of Commons should have a *short* life; of the Crown, that it should have an *uncertain* one.

† The parable seems peculiarly applicable to a *septennial* Parliament.

approved of by the People, the effect of a dissolution would be to return the same body inflamed with irritation at an ineffectual attempt to control it. If, on the other hand, the very improbable case should occur, of the measures of the Commons being alike obnoxious to the Crown and the People, though the dissolving power might then operate either to control or extinguish such a body, yet it would in that case be used as a security, not against the spirit of democracy, but of oligarchy, since it is manifestly incorrect to say, that a democratic spirit preponderated in an assembly whose measures were obnoxious to the people. It is not intended to push the argument against the use of this power, to the absurdity of saying that a power of dissolving implies none of controlling an assembly. The fear of incurring the expense and risk of a new election, will doubtless work on the minds of such individual members as have not committed themselves too rashly in favor of popular doctrines. Whenever a marked discordance between the sentiments of the people and their representatives exists, the latter body will feel that the dissolving power is an obvious mode of control, and will accordingly be influenced by the apprehension of its exercise. But in every case the propriety of exercising it, must be decided with reference to the state of the public mind, and by that its value will be regulated, because upon that the character of the new assembly must depend.*

* Perhaps it may be said, that Mr. Plunket's observations have either been misunderstood or misrepresented, by rigidly adhering to their verbal expression: that what he meant was, not that the restriction consisted in the King's power of assembling Parliament, but in the incapacity of the House of Commons to assemble itself; and that the dissolving power, whether dormant or actively exerted, is a check, in the one state working on the discretion of the individual members, in the other, directly stopping any objectionable measures entertained, or preventing any noxious humours from spreading and attaining consistency. It will not be improper to examine the argument as thus stated. The incapacity of the House of Commons to assemble itself, being considered a check upon it, the great power possessed by that body, must plainly be the reason why that, or any other check is necessary. But when this body is actually assembled, without claiming any right to assemble itself in future, it invariably takes measures, by which the Crown is compelled to convene it, annually at least, for the purpose of obtaining supplies and renewing certain acts. Thus it ensures its meeting within a limited period, and the utmost the Crown can do, is to accelerate or retard the particular day for a few months. The great power of the Commons is therefore, immediately and effectively employed to impair the efficacy of this supposed check. But another, and probably the original reason why this power has been ostensibly deposited with the Crown has been overlooked; namely, necessity; for Parliament could not sit always, a fixed time of meeting would be inconvenient, as there might be some urgent public occasion for its meeting long before the fixed period; to suppose, that in its corporate capa-

It is by other and more effectual means, that the Crown can restrain the Commons; the dissolving power is subservient to those means, and is useful chiefly in affording an occasion for their employment.

It will hardly be denied by anybody, and many persons justify it as essential to the constitution, that the real controlling power is influence, good and bad, honest and corrupt. As long as this influence prevails in the House of Commons, it will prevent its encroaching upon and overturning the other estates. Many members will resist the natural tendency of this body to arrogate sole power, because they sincerely believe a mixed form of Government better. Many also, whatever may be their real sentiments, will bend to the prejudices and interests of others, and some also will be warped by their own. If all these forms of influence be feeble against the democratic tendency, a dissolution sends the members of the body back to those who made, and can alone recompose it. But with the fiat of dissolution, goes forth also the power of influence, now exerting itself on the constituent body, of which a large portion is favourable to the Crown and the Aristocracy—by deliberate opinion, by prejudice, by a multitude of social ties, and lastly by direct and indirect interests. It is obvious, therefore, that the different qualities of the constitution, are not to be sought for, as if they existed and wrought in a pure, unmingled form in each of the three great estates. Can any one believe that each estate, were this its condition, would do otherwise than seek to augment its own power? It is only human nature to do so, and there is no disguising that those august bodies are framed of that material. In so far as their existence is

city it could convene itself, is to suppose it already assembled; lastly, this power could not be safely trusted to any individual member of the body. The object of meeting at all, is to supply the wants of the Nation, therefore the King, whose station enables him to know better than any other person what is the actual state of the country, is unquestionably the fittest to possess this power. But this view of the matter contains no idea of restriction or control. The fear of a dissolution is admitted to have some effect, depending, however, on the character, situation, and circumstances of each individual; therefore its efficacy must be indeterminate. But as the Crown knows the members fear a dissolution, lest they should lose what they possess, so the members know that the Crown may fear to dissolve, lest it should thereby call forth a still less tractable body. There have been Stork, as well as Log Parliaments. The state of public sentiment alone, can determine the propriety of an actual dissolution, so that when the Crown might most desire to dissolve Parliament, it could perhaps least venture to do so; and as the Commons can discern the state of public feeling as easily as the Crown, they might presume upon the apprehensions of the latter, whose dissolving power would thus become a feeble instrument of control.

distinct, and their interests separate, the desire for increased power probably exists in each, though an open expression of that desire by the Crown or the House of Lords, would be imprudent; yet it seems to exist, for if it did not, the democratic spirit might always be as plainly traced in those estates, as the Monarchical and Aristocratical in the Commons.

It is in the Commons that the real working of these elements will be found, producing that extolled mixed character in the laws and government. The coin may require the royal stamp, before it goes forth into circulation, but the quality of the metal, on which its intrinsic value depends, must be determined in the House of Commons. The real strife of the conflicting elements will be found there; and when the democratic prevails, (for the preponderance of the Monarchical quality has never, and of the Aristocratical has seldom, been a source of alarm to the dissolving power, the Crown,) the battle is transferred to another field, and under the system now existing it is not difficult to conjecture which will gain the victory. The Nation itself contains the several qualities supposed to be so happily blended in our mixed constitution. The strife is going on there also. It is going on even in the breast of each individual, according to the measure of his interests, real or imagined; and as the more powerful of these interests side with the one or the other principle, they will determine the preponderating character of the government and the laws.

Involuntary testimony is borne to the supremacy of the democratic interest, and the democratic power, by the constant effort of the Crown and the Aristocracy to influence, and their caution in openly opposing its Representative Body; and when the individuals of that body are supposed to arrogate more power than the people intended to commit to their charge, a complete acknowledgement of the paramount power of the people is made by a direct appeal to them. If there be any offence, it is in the words, not in the doctrine. Let the interest and power of the Commons, that is of the Nation, (for where the great mass of wealth, knowledge, and numbers is found, there is the Nation,) be substituted instead of the stigmatised term Democracy, and few will deny the doctrine; the fact of appeal none can deny.

Thus it appears, that in the most unquestionable and emphatic manner, the opinion of the people is resorted to as the last and most powerful judicial and executive authority in the State. For it is when one, and that their own, the Democratic estate, is found by its preponderance to threaten the whole structure, that the people are called on to judge

between it and the others, and to restrain its authority by recomposing it of less dangerous materials.

The people are made the judges between the parties, thus implying great reliance on the rectitude of their judgment: in a case too, where one party is their own organ, thus implying great faith in their integrity: lastly, they are called on to execute their own righteous sentence, since no other existing power is competent to the task.

If all these consequences be involved in the exercise of the dissolving power of the Crown, (and can they be denied?) they afford most ample evidence of the legal, the essentially constitutional power of public opinion; and can it then be politic, is it wise or just, does it accord with the spirit of the constitution, to repress the public opinion of six millions of people when assuming, and because it assumes, a distinct and impressive form and character? If the Association represent, as the writer has argued, merely the opinion of the Catholic body, it is sufficient for the argument. If, as its opponents would infer, it represent both the opinion and the absolute power, the question is still more deserving of a deliberate and well-considered answer.

The next consideration is, how far such control and responsibility as have been described, should attach to the Association, to prevent its noxious qualities quickening into mischief, and how far they do attach to it. First, as to a previous control exercised by any peculiar authority in the State, since it is plain that the strong, not the weak, require control, if the arguments that have been employed, have been sufficient to prove that the Association by its constitution is not, and cannot be strong except from the support of public opinion, there can be no pretext for any previous restraint upon its proceedings, until its strength becomes great by a great accession of public opinion in its favor; but strength from such a source, it has been argued, is of a wholesome nature,—not formidable to any of the well-constituted authorities of the State. It is but one form in which that paramount power, the opinion of the People, exhibits itself; a power recognized as that to which all others must appeal in the last resort; and the restraint to be really effectual ought to be applied to this power itself. It is true the public opinion here spoken of, is but a part of the universal public opinion, but it is a large part, it is strongly felt and adequately expressed. No counter opinion has been declared, either intensely or extensively, by the rest of the nation; yet it may be presumed that it has not been an unconcerned observer, nor without any opinion on the ques-

tion. If it then really represent a portion of this great and constitutional authority, it can excite no alarm by the force it derives from that quarter, and from no other quarter can it derive any.

The reason for vesting in the Crown any restrictive power over the House of Commons, has been shewn to be one of necessity, because that body cannot be made responsible for its acts, and because the enormous power it possesses has a tendency to augment itself perniciously.

This dangerous excess in its strength, therefore, is of a quality (to say nothing of the immeasurable distance in degree of the power of the two bodies) quite opposite to that of the Catholic Association, for the latter is founded upon, the former is against, public opinion, or there would be no use in appealing to the Nation to curtail it. According to the arguments of those who condemn the Association, the danger feared from the House of Commons, great and portentous as it is pronounced, is found to be at once obviated by a remedy which eradicates the noxious qualities, and immediately restores the body to its pristine state and healthy condition, by a new infusion of that very public opinion which, when found in smaller measure in the Association, is considered as a taint that nothing but total destruction of the body can remove!

It is not pretended, because previous control, or rather complete repression, of the Association has been reprobated, that it, or any other body, should be wholly unrestrained, but for reasons already stated, the form of responsibility is the better mode of applying such restraint; and so it exists, for the Association is responsible to the law, and to public opinion.

It would be useless to enter into any detail of its legal responsibility, as that would demand an enumeration of all possible political offences, and of the laws directed against each. But till the offences are committed, why conjecture about them? That any have been already committed, is not even charged; nor could it have been without impeaching the vigilance of Government, for omitting to proceed against them. It is sufficient to observe, that its offences must generally be of a political nature, which is a head of the law by no means defective in provisions or penalties. A body like the Association, can seldom be dangerous to the State, without giving many distinct warnings in the shape of preliminary words and deeds, all of which are probably within reach of the judicial power. There are laws, not only against acts and words, but against possibilities, from the highest

treasons down to the most evanescent tendencies. Individuals are often punished under them for the perpetration of offences, which, though of the same character, must be less dangerous to the state, than if committed by such a body as the Association. If individuals can be thus restrained or punished, cannot the members of the Association be so too? The greater danger arising from their offences, assuredly cannot supply motives for relaxing the vigour of the law, nor can it be supposed that government would entertain any apprehension in punishing the individual members, when it exhibits no dread of suppressing the whole body. One general remark may be confidently made in answer to all objections founded on the difficulty of punishing large bodies. There must always be some immediate agent acting as the organ of the body, whether the offence be committed by word, writing, or deed, and if an offence have really been committed, the law may be always directed against such individuals. Corporations, and other bodies permitted in the state, are accessible through their officers, or the members are personally answerable for their acts; and, it seems difficult to conceive, when bodies having a legal sanction are not exempt from the power of the law, that those viewed with distrust and jealousy by the government, should be able to commit similar offences with impunity. If it be so, the defect must be in the law; certainly it will not be found in the disposition to enforce it.

There remains to be examined, the manner in which the responsibility to public opinion acts as a restraint. And first, of that portion of public opinion, residing in the class from which the Association has proceeded, to which it owes its origin and its vigour. How, it may be asked, can responsibility, which must attach to acts, and which operates as a control only through the previous knowledge of the punishment those acts will incur, produce such an effect, since mere opinion cannot punish? The answer is, that mere opinion can punish, or at least do all that punishment was intended to accomplish, namely, impose restraint, by withholding its support.

The Association having in view certain great objects of desire, common to itself and the Catholic part of the community, certain means have been agreed upon, devised by the one body, and assented to by the other, as the fittest to obtain them. The objects are, the redress of various common grievances, and the roads to this, are appeals to the law, and to the executive government, wherever they have power to grant redress; and where they have not,

appeals to the Legislature. For the Association to neglect those objects, or to waste the means entrusted to it, cannot surely be a mode of preserving the public confidence reposed in it by the Catholic community. If it be admitted, that the objects in view are the common wish of all Catholics, the persons employed to accomplish those objects, must undoubtedly feel it is their interest to move with the opinion of the general body, at times to lead it, to confirm or moderate its expression, and to direct its force, but never to oppose it directly; and this dependence upon opinion thus acts as a previous control upon the undue exercise of power. It will surely not be replied, that the public opinion, in other words, the common feeling of the whole Catholic people on is full of danger, and that it is irresistibly bearing its instruments forward to attempt the ruin of the Constitution and the State. If that be true, here cannot easily be imagined a stronger evidence of mis-government, or a more alarming and melancholy condition. Alarming, because no man of sense can undervalue the enmity of the third part of a great empire; and melancholy, because no man of feeling can, without deep pain, contemplate the idea that six millions of human beings are not happy, and yet that their happiness is incompatible with the security of their countrymen. One truth is in that case plain. The mere suppression of the Association cannot avert, though it may precipitate and embitter such an appalling calamity.

The next consideration is the dependence of the Association on the public opinion of the remainder of the nation; and, whether that opinion has been hitherto the cause or the pretext for the exclusion of the Catholics from their full civil and political rights, its weight and consequence are undeniable. No man in his senses can doubt, but that a general expression of such opinion in favour of the Catholics, would speedily emancipate them, and as little can anybody suppose that the Catholic Association is ignorant of this truth. It is not ignorant of it. It calls on the rest of the people to side with its just claims. It addresses them in every form of entreaty; by discussion, by statement, by arguments, by proofs. It urges to them that men who renounce their temporal interests, rather than stain their faith by taking false oaths, are not necessarily prone to perjury—that men who, with arms in their hands, have used them only against the public enemy, have not in their hearts a never-dying spirit of rebellion—that a religion, which in other countries grants full civil and political rights to all subjects alike, will not necessarily be intolerant in this country.

It says, We are now peaceable; we are not always in rebellion; if this proceed from our loyalty and attachment to the constitution, though excluded from its rights, can it be supposed we shall be less loyal, when admitted to them? If it proceed from our fear of losing our lives, our property, and our privileges, will increased security to the two former, and an extension of the latter, render us less anxious about them? If the rights we seek, will increase our power till it become formidable, will they not also augment our motives to be peaceable? If they will add little to our power, we shall then be hardly more formidable than we are at present; and if at present we are dangerous, is it not politic to deprive us of all inducement to be mischievous? If we are now feeble, will this small addition make us strong?

By such and similar arguments (though better stated) they appeal to public opinion; they thus prove the value they set upon it; and so speaking and feeling, can it be imagined, that they would rashly and desperately offend the auxiliary they seek, or call for aid from those whose destruction they are plotting at the same moment? Will not this dependence on opinion then, in some degree restrain their actions, or do all the ordinary motives to human prudence cease to operate in the breasts of Catholics?

Some remarks are subjoined, to shew that the materials of which the Association is composed, afford considerable securities against secret designs, or views inimical to the state, and even offer to the executive authorities unusual facilities in detecting and averting such mischief. It has generally been considered, that the executive power of a popular state is less prompt and efficient, than that of a monarchy; and whatever other reasons may be given, the chief and obvious one is, that where the sanction of many is requisite to any decision, it cannot be so speedily obtained, as where that of one or only a few is necessary. This reason must, in various degrees, be applicable to all large bodies assembled, for the joint purpose of deliberation and action. There is but one state of circumstances, in which great promptitude of decision can be expected from large bodies, acting freely; namely, when those who compose them are previously agreed upon certain specific objects of common interest, but the means of obtaining which have not been so accurately ascertained. It will be generally found that large meetings of this kind, seldom do more than declare and record in a distinct form, the objects desired by the whole body; and when any discussion arises, it regards principally the means of attaining those objects. It cannot be denied,

that an assembly amounting to several thousand persons (particularly one composed of people taken from all classes, from the nobility, the clergy, landed proprietors, merchants and professional men) must have a great variety of opinions, and a considerable contrariety of interests. No such body ever did or can agree upon all, or even upon the principal subjects of human interest. The great distinctions (no matter from what cause they proceed) existing between the many classes into which the people of these countries are divided, necessarily create in the members of each, a lively sensibility to the interest of their own class; and, it will be found, that political questions most easily excite their jealousies of each other, because, however such questions may be called partial, and actually be so, in their direct effects, yet, indirectly, they affect the whole community by altering the relative situation of its parts. When, therefore, such various interests exhibit a steady and often tried unanimity upon certain political questions of high and general importance, it is impossible not to believe that there must be a just foundation for it, and it must be unjust and impolitic to disregard such a sentiment. Such unanimity will therefore afford an index to guide the inquiries of a virtuous government in its search after the real wants and wrongs and desires of a nation. Difference of opinion as to the means, is compatible with perfect agreement as to the end; but when an almost equal unanimity exists in both, there can be no doubt of the strength of the sentiment, and the deliberation with which it has been considered. Where there are many individuals there must be various opinions. Where there are many classes there cannot fail to be conflicting interests. Whence then proceeds this unanimity? Address the question to millions, and the answer will be in one universal cry, "From our sufferings and your injustice."

If dangerous views be entertained in secret by a few, can a few accomplish them? If many are necessary for the purpose, can that be long a secret, which is known to many? As the designs apprehended are dangerous, the danger then may recoil on the designing. Are the many who compose this assembly insensible to danger? Have they not much to lose; property, character, life, liberty? Have they no social or domestic affections, no feelings of honor, conscience or morality? Have they neither fears nor hopes? Is it an association of Stoics in feeling and heroes in courage? Or is it a body formed, like other assemblies, of human beings; partaking in all the virtues, vices, and passions of our nature,

willing to sacrifice much for relief from a common affliction, but not willing to sacrifice, or even to risk all; just estimating the relative values of what they want, and what they can afford to give?

The members of the Association have indicated the ends, and the means proposed, and if they intend nothing more, government can follow them in their progress towards the professed objects. The just relation necessarily existing between means really designed to attain the ends declared, and the ends themselves, affords no bad test of the sincerity of such declarations, and the publicity of their proceedings facilitates the comparison. The very vehemence and intemperance of which they are accused gives some proof of them having no ulterior views, for men are seldom able to assume violence, where they do not really feel interest; and systematically to attract public attention to their conduct by turbulent proceedings, is but a clumsy mode of cloaking secret designs; unless, indeed, the leaders in this "Double Arrangement" mean to "conceal their purpose by a song:" even then, though Mr. O'Connel should turn out to be no lawyer, "but a Knight Templar in disguise," yet still, he and all the leading men of the Association are so many hostages to Government, and at the first alarm of danger, all the recognized heads of the party would be the first victims of their own misconduct.

It is proper in this place to advert to an erroneous and misleading argument. It is said by Mr. Plunkett,

"I cannot agree, however, that these advantages are attributable to the Catholic Association; although even were I to admit that the fact was so, I should not by any means deem it a conclusive argument against the adoption of the present measure. Because, as has been well observed this evening by the Hon. Member for Galway, if the Catholic Association has the power of promoting tranquillity and allaying discontent, it also has the power of producing contrary effects and exciting opposite feelings,

"——— ponere, seu
Tollere vult freta." (Cheers.)

Some time, Sir, before the formation of the Catholic Association had the tranquillity of Ireland been achieved, and it was chiefly owing to the active exertions of a class of men, to whom I am happy to have an opportunity of offering the tribute of my praise—the Catholic Priests. It is to that useful class of men that the change which has taken place is in a great degree owing, and not, I repeat it, to any effort on the part of that body who now arrogate to themselves all the good which has been effected, and sink into one common inferiority—noble, priest and peasant. I say this because I feel it a justice due to that most excellent,

most useful, and give me leave to say, most calumniated class of men—the Roman Catholic Priests of Ireland."

The assertion here made, is, that a power of doing great good involves a co-extensive power of doing great evil, which as a general position seems erroneous.* The mistake consists in calculating the force of the power, without the motive that is to direct it; yet on the nature and strength of that motive the result depends. The argument certainly proves too much; for, being made a reason for suppressing the Association, it is an equally good reason for suppressing every other institution distinguished by the fact of having done great good, for that fact implies great power, which may be abused to the accomplishment of great evil; and, to preserve consistency in his argument, the speaker should in the next passage, instead of praising the clergy for their instrumentality in promoting quiet, have employed it as a reason for their suppression—"tollere, seu ponere vult freta."

By the argument, power seems to be considered a sort of neutral quality, capable of being directed equally to good and evil. The efficacy of power consists not merely in its absolute quantity (if such language be at all admissible), but in its direction, the nature of the matter subject to its operation, and its employment for some particular end, in other words, its design. A change in all or any of these circumstances, may create a very material change in the effects produced, although the same original power be put in action; therefore, it may be exceedingly fit to produce some effects, and wholly unfit to produce their opposites; such as both good and evil, or to speak more pertinently, both quiet and tumult. This general truth is indeed plainly admitted, when it is said of any thing, "It may do good and can do no harm," or the contrary. But the position may easily be illustrated by a physical fact. A gun loaded only with powder will do no harm if fired at a person ten yards distant; the same charge, however, will throw small shot fifty or sixty yards; it will throw a bullet of equal weight with the shot, nearly a mile, and it will in no case burst the gun. Here the original power is the same, but its effect varies with the materials upon which it operates; and being em-

* In a moment of less excitement, the very illustration he adopts would have rather startled such a philosophical mind, because neither the poetical beauty of the passage, nor the authority of Horace, can prove that the wind has equal power in raising or *calming* the seas;—at least, it is not so between Dublin and Holyhead.

ployed according to its design, to throw shot or bullets, it is perfectly harmless in its effects, in every other direction. Again, in a well constructed steam engine, the elastic power of the steam produces a beneficial effect, and can hardly produce a mischievous one; because, being framed with a specific, and that a good object in view, when directed towards any bad object, a large portion of the machinery becomes useless, and the rest is calculated to impede any mischievous exertion of the moving power. These instances are offered, merely to illustrate the fallacy of the general position, that a power to do good, *necessarily* involves a co-extensive power to do evil, or the contrary. It may be more difficult to meet the doctrine on moral questions, because neither is the end in view so definite, nor the machinery of any moral institution so easily ascertained or comprehended. But if it be remembered that human beings constitute not only the moral machine, but also the material on which it is designed to act, it will then be plain that a great portion of the moral power depends on the motives existing in the several minds concerned. A total and universal union of opinion and motives, will surely afford the greatest quantity of power; and where difference of motives prevails, there is not only loss of power caused by a given quantity being cut off, but there is an additional loss, arising from the opposition of motives, whenever that occurs. It is by no means meant to be argued, that a powerful moral institution may not, however well designed, be abused to evil, and to evil not only commensurate with, but perhaps exceeding the utmost good it could accomplish; but, the assertion is, that such capacity of doing evil cannot be philosophically inferred from the mere fact, that the institution has had power to do good, and has done it. It is by the induction of other facts, that we must arrive at its ability to do evil. We can discover power, only by examining the effect produced, and may reason upwards to the existence of a power just adequate to do what it has done. It would be equally false philosophy to draw either of the following conclusions; that a greater power than the effect required, did exist; or, that a greater did not exist. We have no right to form any opinion at all as to either of these latter points; if we draw any conclusion beyond that first laid down, we exceed our data. Illustrated physically, this is plain. When we behold a machine lift a hundred weight, we may safely conclude it possesses a power adequate to that effect; but to say it possesses a power equal to lifting a thousand weight, or that it possesses no greater power than is requisite to lift the hundred

weight, would be equally unphilosophical, as on trial it might be found able to lift five hundred weight. These general remarks will now be applied to a moral and political power of the highest order, not only to illustrate them, but also to combat the argument when applied (as it often is) to that power; because, from its plausible nature, it is too easily admitted, and has, in this instance, a most pernicious tendency.

The power alluded to is that of a free press, and the assertion, that having the power of doing great good it can do commensurate evil, is strenuously denied, and it is hoped will be found utterly erroneous. The great desire of man is to procure happiness, therefore (as surely as happiness is a good) all his designs are good, all his efforts are directed to a good end, and his whole progress is towards good. He may often fail in his efforts, but his failure is error, not love of evil or malignity. If any one doubt this, let him consider the results to which facts, that he cannot doubt, must lead him. Every man desires his own good, and directs his efforts to the attainment of it; but happily his own good is more intimately and extensively identified with that of his fellow-creatures than dissevered from it. He has a good to seek that is common to his family and himself, and that they will seek conjointly; families have a common good to seek with other families; a district with districts; a province with provinces; a nation with other nations. Towards this common good they all press on. Examine all arts, sciences and institutions. Is not good, the aim and end of each, however diversified the means? Is the design of agriculture to diminish or to increase fertility; of commerce, to limit or to extend enjoyments? Is it the aim of medicine to spread disease or to preserve health; of law, to secure right and justice, or to violate both? Is religion but a device to foster sin in the heart and stimulate the hand to crime, or a scheme to eradicate the one, to repress the other, and to consecrate both thoughts and actions to benevolence? If such be the ends of all the great institutions of mankind, can any thing prevent their success, but error in the means? No rational man can doubt of this progress towards good by such means, (in spite of error,) who values civilization above barbarism. It is by the perfection of such arts and institutions that civilization is attained, and the highest state of civilization must ever be that where reason is most powerful, and truth, in all its forms, most prevalent: where these are, there knowledge will be—knowledge of good, and of the best means to attain it.

Now wherein is the use of speech but to interchange ideas, to communicate facts, reasons, opinions, and sentiments; and wherein is the use of such interchange and communion but to learn all truths pleasant and useful?

What speech is to individuals, the press is to nations; and something more; for it exchanges not only thoughts, but the best and most considerate thoughts,—it not only exchanges, but records them. If discussion be the best mode of arriving at truth, the press is infinitely the best instrument of discussion; for speech can be addressed to few, is full of ambiguity, too often the vehicle of mere folly and crude fancies,—it can hardly ever be reverted to, and never in all its original plenitude, uttered heedlessly by one, heard by a few, and soon forgotten by all. But the written word stands for ever in precisely its original form, the mark for every man's wit and reason. Age after age it may be examined, and if true, it will be confirmed by the lapse of every age. By it, millions may be addressed at the same moment, and from generation to generation. It enables us to inherit knowledge from the dead, and bequeath it to the unborn; if our ancestors were wise, through us it transmits their wisdom to our descendants, augmented and confirmed. Error and evil cannot by such means be co-extensively spread, unless it be believed that mankind desire these as much as truth and good; but they cannot equally desire opposite qualities; they may be deceived, but it must be by the semblance of what is true and what is good, and the deception can exist, only till the reality comes to shame the counterfeit. It is no answer to say that, errors being infinite and truth but one, therefore the mass of errors thus propagated will always exceed the truth; for the very difficulty the singleness of truth creates in seeking it, is the very reason why there cannot be too many to search. The greater the multitude of errors sent forth, the sooner the characters which belong to every species of error will be ascertained and reduced to forms and canons, while the standard of truth will be better known and more accessible to all. If then the perpetual desire and tendency of the human mind is towards good, can that which supplies it with the greatest power of action be an instrument of evil to any dangerous amount? Those who think it can, must believe, that to increase our ideas, to exercise our reason, to discover truth, to accumulate knowledge, and to seek happiness, are all evil.

Let the above considerations be applied to the Association, and it cannot be any longer contended, that its power of doing evil may be inferred from the fact that it has done

good. It may possess the power of doing mischief, but the motive may not exist; and a slight examination will shew that its powers of good and evil are by no means commensurate.

As the greater part of what has been already stated was designed to shew that the Association derives its force only from opinion,—opinion, not created by it, but already existing in the public mind, the result of grievances for which redress is sought,—if the argument has been at all convincing, it follows as a corollary, that this body must find its power vary in force as it moves with or opposes that common sentiment. There is no reason to believe that the common feeling inclines towards tumult, if the same ends can be obtained by peaceable endeavours. Numbers of the lower classes may have been happy to find the Association calling on them to abstain from participation in the disturbances which they did not venture to condemn, or into which they might have been drawn by rashness or timidity; all such would therefore unwillingly return to violence, though they might not dare openly to repress it. But if it happened that a large portion of the Association itself were sincerely desirous of tranquillity, while the rest aimed at public disturbance, this division of opinion would weaken the power of the whole. If union, wealth, intelligence, and numbers make it strong, will not division and opposition make it weak? And these must take place, unless intelligence and wealth find their interest in civil discord; but that can never be true of large bodies possessing those advantages. However, admitting that, after this defalcation of opinion, and with it of power, has taken place, there still remain many evil designing persons in the Association, and many willing instruments among the people; the means of communicating these designs are still extremely limited. Every man is jealous of the faith of the others, doubtful of their sentiments, apprehensive of change in those sentiments when similar to his own, obliged to consult in secret, with difficulty and with danger. And though they who designed the mischief, may have arranged the plan, and be all faithful to their cause, it cannot be publicly communicated to their instruments, nor can they easily or secretly learn who and where those instruments are. To call on a people to be tranquil, to abstain from mischief, may be done openly, loudly, and securely; but to stimulate and rouse them to crime and rebellion may not. Those who did so would proclaim their own treason and invoke vengeance. Such designs must move secretly, cautiously, and silently; their

course is full of danger, and every step is upon a burning soil. Is there not then an indefinite but immense difference in the ability of the Association to do good and to do evil?

The next branches of the charge are, that the Association assumes some of the functions of regular government, and many of the forms, and that its sittings are permanent.

There is a marked difference between usurping and exercising a function that belongs to another; for unless it be manifest that the function assumed by one body, is peculiarly and exclusively the right of the other, it cannot amount to usurpation, which means, not the mere cotemporaneous exercise of any authority, but such an exercise as, either wholly or in part, prevents its exercise by the legitimate owner. But while any body acts subordinately to the legitimate authority, yields submission whenever they come in contact, or moves in a sphere where they cannot clash, it is difficult to conceive how such an assumption of any function can be blameable; certainly it is in many cases permitted and sanctioned.

Under the term function, there are included the ideas of a right and a duty, though not necessarily exclusive right and duty; and, if it be proved that the Association has assumed a right exclusively belonging to Government, or a duty of the same nature, thereby directly limiting, or attempting to limit the functions of Government, there can be no doubt of its usurpation. It can never be said, however, that all the rights and duties appertaining to Government are its peculiar and exclusive functions; because, if this were true, it would follow, that as those rights and duties are of such an extensive nature as to bear upon almost ever human interest, there would remain very few rights or duties for individuals. Therefore, as it plainly appears that there must be many functions common to the Government and the people, so long as a due subordination is preserved there can be no great cause of jealousy on the part of the former.

The charge then may be reduced to this, that this body has either violated that due subordination, or actually usurped some of the exclusive functions of Government. The validity of this charge, if it be valid, will best appear by considering whether the Association has assumed or exercised powers that no other portions of the people have assumed or exercised; or whether, having assumed only what was lawful, it has exercised it unlawfully. The terms of the charge may be comprised under the following heads: having performed acts of legislation, and having interfered with the

judicial authority, of which the last shall be considered subsequently.

If the distinction which has been drawn between real legislative power, and that depending upon opinion, be correct, and the kind and the degree of force which the latter possesses be extremely inferior to that of the former, it would hardly seem necessary to consider the present part of the accusation in any other way than by reference to what has been already written, with this additional observation, that the Association cannot have exercised, what it did not, and could not, possess in a degree sufficient to awaken the jealousy of the supreme authority. But as that inference may appear too abrupt, it will be proper to point out that a very considerable degree of legislative power is sanctioned in many other bodies in the state, if making rules binding upon others, be allowed to be such power; and also, that the very inferior power of regulating all such as choose to submit to regulation, is, if not expressly sanctioned, notoriously permitted, and in both cases exercised more rigorously than the Association has ever exercised the latter and only power it possesses. Now, without descending to detail, it must be admitted that the power of making statutes and by-laws, which all recognized corporate bodies have, and which in many cases bind not only those who directly or indirectly contributed to their formation, but also entire strangers, is, so far as it extends, a real legislative power, and one not unfrequently enforced even to oppression, if we may judge from the vehement complaints of those subject to it.

There does not then appear to be any incompatibility between the existence of the supreme and of such subordinate legislative bodies, nor any usurpation by the latter of the functions of the former. Nor can the argument be met by urging the political weakness and insignificance of those bodies, unless the Home and Foreign Trading Companies, the Universities, the Inns of Court, the East India Company, the Corporations of London and other great cities, and the several national Banking Companies, be deemed politically weak and insignificant. In a similar manner, the power assumed by large societies not having a legal corporate character, over those who choose to become members, has been allowed by the legislature, and is employed to impose such various restrictions and obligations on the members composing the several bodies, that if this species of power were really incompatible with that of the supreme body, it must long since have excited alarm, and required

suppression. Fines have been imposed, personal freedom of action has not unfrequently been controlled, and lastly, the contribution of money to some (in many cases to an immense) amount, has been an almost universal condition and character of such societies, as it well might, since without it, there is scarcely a possibility of any body, however framed, or to whatever end designed, being efficient. Whoever considers the nature and degrees of power exercised by the various portions of the people that have just been generally alluded to, must feel some hesitation about giving their assent to the doctrine, that the possession and exercise by the Association of the most precarious kind of such power, is wholly unconstitutional, and menacing to the immediate safety of the state. It may be a dangerous body, but the danger can hardly be inferred from the assumption of functions, which have not excited the jealousy of the Government when similarly exercised by other portions of the people, and when similar functions, but higher in degree, have actually been imparted by Government to other bodies, or, being assumed by such bodies, have been formally sanctioned by supreme authority. That the Association did not exercise unlawfully the power it possessed, seems involved in the foregoing argument, and it is difficult to combat a contrary opinion, because though such opinion is frequently expressed in general terms, yet nothing specific is stated, as to the assumption, or exercise of functions by the Association in such a manner as to trench upon the authority of Government, except under the heads of imposing commands, duties and taxes, and interfering with justice. The last subject will be considered elsewhere; that of the Rent has been already examined at length; the imposition of commands and duties has been evidently for the purpose of collecting the rent; they have been merely parts of the machinery for attaining that object; they may have been harsh, but they were in no case obligatory; they were not illegal; they did not require the people to resist or impede the authority of Government or the Legislature, nor did submission to the commands of the Association incapacitate the people from a due obedience to the public authorities. In what manner then did this imposition of commands and duties, or in other words, this exercise of its power, violate the due subordination above mentioned? Mr. Plunkett himself states, that the Association, "both in its *formation* and *practices*, though *not illegal*, was clearly unconstitutional." With whatever success he may have argued that the Association was unconstitutional, it is here

clearly granted that it was not in *its practices illegal;* and this is again declared in stronger terms, when he says, "I am satisfied that at present *both in act and intention*, the Association are *loyal and peaceful.*" From its legality, loyalty and peacefulness, is it possible with any justice to infer that it has usurped or encroached upon the functions of Government? The two propositions are contradictory in terms.

It seems hardly necessary to examine the accusation of having adopted the forms of the House of Commons, as the most judicious opposers of the Association have placed little or no stress upon it. Indeed, although the objects of the Association had been unquestionably mischievous, scarcely any person would urge as an aggravation of its offence, that it took the best means to gain its ends. If prudence, in that case, enhance guilt, folly in the choice of means would be a mitigation of any design, however atrocious, but that would be utterly to confound our moral and intellectual nature. Even the unjust steward was commended, because he did wisely. If, on the other hand, the designs of the Association were not mischievous, can any human being condemn it, for having adopted those forms and measures best calculated to attain an innocent object? Whether the permanence of its sittings be an evil or not, depends so wholly upon the question whether the body itself be an evil, that it must obviously stand or fall by that; for no one can feel any difficulty in answering this question, Is the permanent sitting of a mischievous body desirable, or of a harmless body objectionable? It may be an accessory, but can never be fairly urged as a substantive part of any accusation. Were there only suspicion as to the design of any such assembly, its permanent session would appear to be rather advantageous to Government, by attracting attention to the proceedings, by affording a clue to the real designs, and also by enabling it to ascertain at once, the time when, the place where, and the persons on whom it might find it expedient to exert its authority. The hunter will naturally expect to find the wild beast in its lair.

Previously to examining the charge of interfering with the administration of justice, it will be useful to consider whether the following imputation, which has been implied and expressed, be probable or not;* namely, that the Association pretended there was not a due administration of justice, and proclaimed this to the people, merely from factious motives, and knowing it to be false.

* See the speeches of Messrs. North and Doherty.

There can be no doubt that the complaint of a mal-administration of justice, is confined to the conduct of the *subordinate* judicial officers. All parties in the House of Commons seem to agree that no blame can be imputed to the higher Courts; and the Association probably entertained a similar opinion, because it does not appear, either by its declarations or its acts, to have taken any steps to impeach them.

Assuming the existence of a factious motive, and a design to vilify the administration of justice in the estimation of the people, the most effectual way of doing so, would be to shew that its highest sources were tainted. If the Association had the disposition to do this, it must be presumed it did not attempt it, only because it would have been imprudent, as it well knew that such an attack would call for an immediate inquiry and receive complete refutation: its factious motives were controlled by its prudence. The Association then appears to have had the wisdom of the serpent, though not the innocence of the dove, and if it disregarded truth, it at least knew the value of verisimilitude. It is strange, however, that this prudence should desert the Association in its measures respecting the *subordinate* branches of the judicial establishment.

Perhaps it may be said that it is easy to disprove false charges against the higher Courts, but not so in the case of the lower, branching out into a multitude of local and obscure jurisdictions and authorities, against which all sorts of calumnies might be circulated by the Association, and believed by the mass of the people, without inquiry and upon the mere authority of the calumniators. This would be true, had the Association dealt in vague charges, *Dolus versatur in generalibus*; but unfortunately for this consideration, (which is the only rational way of accounting for its having spared the higher and attacked the lower branches of the judicial body,) it made specific charges, thereby enabling its adversaries to bring the question to an issue. Thus the prudence, which guided it so well with respect to the higher Courts, when the lower became the object of attack, not only failed to convince it that the successful circulation of its calumnies depended on its avoiding particulars, but even so wholly deserted it, that the Association itself was the first to bring its own charges to the test of public trial, before some of the members of that very judicial body it sought to calumniate and vilify. Upon the supposition of faction and falsehood being the motive and condition of their proceeding, such conduct would be mere folly or madness; but upon the con-

trary supposition, namely, that the Association did not assume the existence of mal-administration without an honest belief in it, there seems to have been a deficiency neither of fairness nor of prudence. It did not accuse the higher Courts, because it believed them to be actuated by a just spirit, notwithstanding some instances of a contrary character. It did accuse the lower branches of the judicial body, because it sincerely believed them to be guilty of partiality and injustice.

The accusations were explicit and particular, not general and indefinite charges. They were investigated by the Association, and appearing to be well founded, were made in the face of the whole nation, and before those very supreme Courts whose just administration of the law had not been impeached, nor, as these appeals proved, even suspected by the Association. Was it in the spirit of faction to appeal for justice to those it desired to calumniate, or of falsehood, to seek for public investigation of explicit charges?

But though the Association may have been sincere in its belief of the mal-administration of justice, it may still have been in error, and its interference mischievous, though not criminal. The state of the question then seems to be as follows. The Catholics contend, first, that the law is often *ill administered*, because there is a strong party-spirit in the lower branches of the judicial and ministerial bodies, hostile to the members of their Church: secondly, that it is often *not administered at all*, because the expense of obtaining redress is so great, that few of the poorer Catholics can seek it, and also because many are deterred from demanding justice, by their suspicion of the judicial and ministerial persons to whom the application must be made. The Association proposed to remedy these evils, by exposing mal-administration of the law, wherever it could be proved to exist, and by bringing its good administration within the reach of the poor—by rendering it purer and more accessible. Their opponents reply, first, that there is no mal-administration of the law; secondly, that even if there were, it would be the part of Government alone to correct it, and therefore the Association usurped a function of Government;* thirdly, that the interference of the Association could tend only to

* This is, in substance, implied in the arguments of most of the speakers. Mr. Peel, Mr. North, Mr. Robinson, and Mr. Goulburn, either declare that redress is to be granted by the legislature alone, or argue as if the interference with justice were an invasion of the functions of Government.

pollute the source of justice, overawe the judicial body, and make Courts of Justice an arena for angry feelings.

The proofs that there was mal-administration of the law, will be founded on matters of general notoriety, namely, acts of the Legislature, and of Government; or speeches and statements of persons of unquestionable authority directly or by implication declaring that fact.*

There may be mal-administration of justice, not only from corruption and error, but also by a departure from what the law has prescribed, even when the object is to mitigate its severity; and still more by employing "a vigour beyond the law." A rigid adherence to a bad law, is probably better than an unauthorized mitigation of it; because, in the first case, the evil becomes quickly apparent and calls for a remedy; but in the latter it is superficially healed, and may again break forth with pristine virulence, while, as there is no rule for measuring the degree of mitigation, the still greater evil of an uncertain law is generated. Where the various members of the judicial body administer the law in any other manner than has been prescribed, it is in vain to

* The proofs have been confined to the above class of facts, as the fairest and most effectual. Particular instances could derive no weight from the authority of an unknown writer: they would require almost legal proof to establish their accuracy; this, in some cases it might be difficult, and in others impossible to obtain for the purpose of being made public, and if obtained would probably not be of sufficient interest to tempt the reader to a careful investigation of it; lastly, the exposure of individual delinquency is not the object of the writer. But he addresses to the candour and conscience of such readers as have been magistrates, grand and petty jurors, officers of revenue and police, and to all other persons who have any experience in the matters alluded to, the following questions. Does it not often happen, that the very persons who one day are dealing for illicit spirits, tobacco, and other contraband goods, are the next day employed in issuing warrants, apprehending, convicting, and punishing the smuggler or his companions, to whom they have been "the tempter, ere th' accuser"? Have not scandalous jobs respecting roads, &c. been committed, thereby imposing unnecessary burthens on the public, or perverting the application of what were necessary? Have they not known warrants granted where they ought to have been refused, and the contrary, or delayed till rendered useless by the escape of the offender? Have not punishments, sometimes greater and sometimes less than the law prescribes, been inflicted? Have not magistrates often hesitated to grant legal process, because the executive officer was known to be inflamed with party animosity of a public or private nature? And has it, on the other hand, never happened that such a spirit has been a recommendation? Are there not parts of Ireland where it is hardly possible to fill the lower ministerial offices with persons exempt from party spirit? Have they not heard of the issuing of writs and warrants having been communicated to the offender in time to insure his escape from their execution, particularly when he happened to be a person of consequence?

expect that the people will long retain any respect for it. They look not to the show and form, but to the substance of things: they will not seek to know a fluctuating code, but will study the characters and passions of those who wield the law; and they will (often effectually) employ modes of deceiving the sagacity and tempting the weakness of the judicial officer, which would never have been thought of nor attempted, had not the judicial body itself first taught them that the law was not inflexible.

"When the eye sees what it never saw, the heart will think what it never thought."

There can be little doubt that the character of the Law has from this cause alone, never been regarded with reverence by the Irish people, while at the same time, their litigation, both civil and criminal, has necessarily exhibited an aspect of deep fraud and unrelenting ferocity: for wherever the law is permitted to fluctuate with the discretion or caprice of the ministering officer, the innocent and the injured are afraid to appeal to its uncertainty, while the vicious, the wealthy, the daring, and the crafty, behold in that very uncertainty a chance of impunity for their crimes, either by working on the fears of those they oppress, or on the imbecility and corruption of the Magistrate. Each act of successful villainy tempts to greater crime, till, in despair of obtaining justice and protection, the innocent but weak sufferers hourly join the ranks of the guilty, and seek to repair by injustice and perversion of the law, the injuries that injustice has inflicted, and a perverted law has permitted. The celebrated passage with which Hooker concludes his first Book of Ecclesiastical Polity, speaking of Law, states the *condition* on which "all things in heaven and earth do her homage; *the very least, as feeling her care;* and *the greatest, as not exempted from her power.*" In Ireland, the conditions have so often been forgotten, that the homage has seldom been done.*

If the proofs to be offered afford a strong probability that there has been a corrupt, an erroneous, or a perverted administration of the law in its lower branches, enough will have been done to sustain the position on which the Association justify their interference.

* The very alarm and anxiety which the measures of the Association created in the breasts of many of the lower judicial officers, had a silent but powerful effect in recalling them to a sense of the real dignity and inflexible character which the law should always maintain, and as the zeal of the priest became warmer, the faith of the worshipper became more confiding.

The first and most striking proof is the revision of the Magistracy, which was made in 1822 and 1823, on which occasion, it is said, a great many Magistrates were removed:* an invidious and painful task, executed, as it is believed, with proportionate reluctance. Lest the bare statement of this fact should not be deemed a conclusive proof, that there were great faults in this branch of the judicial body, let the probable motives which led to it be examined.

It must have been done either on the score of excess in the whole number, or defect of some kind in those removed. The want of a sufficient number of Magistrates in Ireland, has been so long and often lamented, that it is impossible to believe that on this occasion, their number should have been found so excessive as to require the removal of a large proportion of upright and efficient members of that body. Doubtless, at the period of their appointment they were requisite, or they would not have been appointed. Then, when was it discovered that they were no longer necessary? for the population has gone on increasing; with it there has been necessarily an increase of causes for litigation, and unhappily there has been no great diminution of offences and crimes. Certainly several of the Magistrates removed, were military men and other persons no longer resident, to whom neither praise nor blame could attach, and from whose removal no inference could be drawn; but that cannot be said of all, without assuming that Government, by striking out mere names on paper, was willing both to cast censure on a guiltless body, and to deceive the nation by a mock revision of its Magistracy. No such assumption is here made; on the contrary, it is believed a real revision was designed, and as the reason of it is not to be found in the numerical excess, it must be sought for in the only remaining consideration, defect of some kind in those removed. It has already been mentioned that several of the Magistrates who were removed, were persons no longer resident in Ireland, and, it may be added, who were of unquestionable character. Their removal conveyed no censure, and was of no moment to the country, but was probably the suggestion of a humane and graceful policy, which, by mingling through the mass, the names of those on whom no taint of suspicion could be thrown, hoped to alleviate the

* The exact number the writer could not ascertain; but Mr. Brougham on 26th of June, 1823, stated in the House of Commons, that one hundred and fifty-two had been dismissed in six counties; therefore, the total number removed was probably very great.

mortified feelings of individuals, without at the same time neglecting the real interest of the nation.

If corruption were the fault of the portion removed, that at once establishes the fact of mal-administration of the law. If intellectual incapacity, or ignorance, though less moral censure would attach to the individuals, yet there would not be much greater security for a just administration of the law. If a want of local and personal consideration were the defect, (an improbable case, because it is not to be presumed many such persons would have been originally appointed,) it must have extended to their *official character*, or it could not have been made a just ground of removal; and then, exactly such Magistrates would have been most easily awed or swayed by the predominant faction of the place. Lastly, if connexion with any of the violent persons or factions of the country (whether proceeding from the ties of relationship, early prejudices, or sincere zeal) were the cause of removal, it was a fruitful source of judicial abuse and malversation. If any doubt can remain that Government adopted this measure from a firm belief in the mal-administration of justice, Mr. Robinson's express declaration to that effect is subjoined as conclusive:

"Sir, we have been told that the administration of justice in Ireland is so bad, that the Catholics had no means of obtaining justice, but by the course they have adopted. Instances have been mentioned of discovered abuses, but how were those abuses discovered? In this House. By Committees of this House were they discovered, and by this House were they remedied. One of those evils was the choice of Sheriffs; that has been remedied. The Magistracy required revision. It was revised. Other public bodies were corrected. But all this was done without the aid of a Catholic Association or Parliament in Dublin. It was done by the old-fashioned English Parliament here. That Parliament has remedied many evils which existed in Ireland, and it will remedy others."*

It has been an ungrateful task to touch on this subject and draw these inferences. To the Government, it must have been most painful to determine on the measure, to carry it through all its distressing details, to have recourse to secret inquiries, to receive dubious and inaccurate statements, to select from among conflicting opinions, and to be obliged to hear the language of remonstrance, complaint, and wounded feelings, without the power of fully justifying its acts by a disclosure of its information, or granting a public inquiry to the complainants. To have so felt, and yet to have so acted,

* Courier, 15th Feburary, 1825.

is a convincing proof of the deep sense Government entertained of the evil, and of its own paramount duty to remove it by a revision of the Magistracy.

As that measure indicated a distrust of a certain portion of this judicial body, so the next to be considered, the establishment of weekly petty Sessions, betrayed some doubt of the fitness of the whole class to administer the law according to the old mode of acting, singly at their own houses. The measure was earnestly pressed by Government on the whole body of Magistrates; it has been generally adopted, and its beneficial effect highly praised. The praise seems well deserved, for it has introduced publicity, without which, there can be no adequate security for justice. No really wise man will ever desire, for his own sake, to exercise power unrestrained by publicity; for infallibly, even in the best persons, it generates a state of mind that no wise man can approve of: impatience of temper, a sluggish attention, a rigid adherence to preconceived opinions, and a peevish jealousy of its authority, with an exaggerated idea of the crimes of disobedience and disrespect. The effects of this measure on the Magistrates, have been (as the honest and candid themselves will allow) to stimulate the activity, and awaken the caution even of the best constituted minds. They now feel that any mistake will be visited, not only by the pain of their own consciences as before, but also by public animadversion. Still nobler motives are called forth, for they behold increased security for their honest intentions, accomplishing all the good they design, and obtaining all the applause they deserve. "None are all evil," and in the hearts of the weak and the wicked, if there be any compunction of conscience, any sensibility to disgrace, any workings of humanity, or any generous love of praise still lingering, those feelings will be fostered and excited. A more powerful security, however, is found in their fears or their prudence. If they do not dread iniquity, they do the danger of punishment or the mortification of defeat. Another beneficial result is the frequent intercourse these Sessions create between the Magistrates of the same county, thereby enlarging and correcting the local and legal information of each; assimilating their various habits and modes of inquiry into rights and offences, of interpreting and administering the laws, and thus rapidly paving the way, not only for a general uniformity in the administration of the law, but also for its necessary consequence in the public mind, a belief in that uniformity.

The actual effects already produced upon the people by

this measure, the writer does not pretend to know beyond this, that these new courts of justice have been eagerly resorted to, in preference to single Magistrates at their private houses, and the Sessions being held in the market towns, there is always a larger audience, before whom, the accumulated cases that have occurred in each district during the week, are discussed and decided. From the above facts, and the tendency of the system to produce uniformity in the administration of the law, the following results appear almost necessarily to arise; that a greater number of the people are enabled to learn quicker and more accurately, those parts of the law and its administration which particularly relate to themselves, in other words, their legal rights and duties. Few of the audience, besides the parties, are so interested as to have their judgments obscured by their passions, consequently they do more justice to the policy of the law, and the integrity of the Magistrate, than parties usually do; and it is not one of the least merits in the administration of justice, that it satisfies the public mind, though it may not satisfy the litigants. Violent and false charges will occasionally be repressed by the fear of shame, or of detection; for a crowd may possibly contain some honest witness of the truth, whose evidence would perhaps never have been known, but for this publicity; and sometimes such charges, if made, will actually be so exposed and refuted. If there be gross error or injustice on the part of the Magistrates, the people will found their opinion, not merely on the sentence promulgated, but also on the evidence adduced, and thus, as far as character is concerned, abate the triumph of the real delinquent, and soothe the defeat of the injured person. If, on the other hand, exact justice be dispensed, the public sentiment will generally support the law, and men will carry the sentence "home to the very business and bosoms" of the guilty, and the example to their own. Such benefits will not be of little value, even though purchased with an increase of litigation, which will probably take place.

The absolute quantity of litigation, if taken alone, is a very fallacious criterion of the merit of the laws or of the modes of their administration.

In the two extreme cases of a very corrupt, and a very perfect legal system, the amount of litigation will probably be small; in the one, because rights are unprotected, and crimes unpunished by the law; in the other, because rights are well defined and protected, and offences speedily punished. In all intermediate states there will be an increase of litigation, varying according to the change in

some or all of the following conditions: the general policy and accordance of the law with the opinions of the people; the trouble, delay, and expense attending it; the frequency or infrequency of alteration in its several parts. But if in conjunction with the quantity, the quality or character of the litigation be considered, a tolerably accurate opinion may be formed of the state of the law, and its administration. When this character is of a bad kind, as when the wrongs and crimes that form its subject matter are of an atrocious nature, it may be presumed, not only that the society is immoral and wicked, but that the law is utterly corrupt. Where gross offences rarely occur, and the subject matter of litigation is composed of disputed minor rights and petty offences, the inference is highly favorable both to the policy and the purity of the law, though there may be nearly the same amount of litigation under each state. For on the one hand, who will venture to exasperate their oppressors by a fruitless appeal to a corrupt tribunal? And on the other, why should men prosecute for crimes that have not been perpetrated, or dispute rights that have been universally recognized? The end of law is protection against injuries, but under a corrupt system, this protection being withheld, the injured will not appeal to it, and there being no protection but in private resistance, violence becomes the sole arbiter in society; crimes are multiplied in amount and augmented in atrocity, for even those who have a just right to vengeance seldom limit its infliction to a just measure. When the law approaches towards a perfect condition, it necessarily approaches the attainment of its object, protection against injuries; but the only mode by which it can approach towards perfection, is by rendering the motives which induce men to abstain from crimes, stronger than those which tempt them to commit them; and this decrease in crimes will plainly be followed by a decrease of litigation. In the intermediate states, as the law degenerates, there will be an increase of litigation with a worse character, for the seal and pressure of a just system being removed, the evil passions always working in man's heart, will rise and spread over the community, each, like the evil genius in the tale, assuming, as the occasion demands, a dwarfish or gigantic aspect. For some time there will be a strife between the oppressor and the oppressed, but as the law recedes from justice, the injured will retire from its tribunal, until the extremity of corruption has reduced the amount of litigation to the point before considered. As the law however improves, it will invite to its protection a multitude of rights

previously repressed by the despair of obtaining justice; and crimes will be denounced, whose victims were formerly silenced by the dread of further oppression. Here, the increase of litigation will proceed, till crime is generally restrained, and the great body of social rights unequivocally recognised and secured.

Under the improved system of administrative justice, introduced by this measure of petty Sessions, there will, therefore, be a temporary increase of litigation, but it will proceed from the infusion of a healthy element, and will indicate, not the growth of crime, but the wholesome vigour of law. As all conditions are relative, these merits, resulting from the institution of petty Sessions, necessarily imply previous defects. If the just, among the Magistrates and the people, can now more effectually dispense and obtain justice respectively, they must previously have suffered restraint and impediment. If the temptations to iniquity have now been removed, they must formerly have existed. If restraints have been imposed on the unjust, a prior want of such restraint is implied, and such prior state was one of comparative mal-administration. Nor can this inference be evaded by referring to any changes in the law itself, for in this case, it was solely the mode of administration, not the law, which was altered.

A distinct class of the Magistracy is that of corporate towns. These are appointed by the corporations, under their various charters, and in the nomination of the Magistrates it seldom happens that the Catholics have any vote, and still less frequently that a Catholic holds such offices. It is notorious, that all political and party feelings are necessarily felt and expressed more vehemently in towns than in country places; and if the corporate Magistracy be both inferior to the general magistracy, and also composed exclusively of one religious sect, it may be safely inferred, that the temptation to abuse and malversation must continually be in operation. In proof of the state and nature of that class of Magistrates, the following extracts, from the evidence of a person whose judgment and experience will hardly be disputed, is transcribed, as containing enough to warrant the above statement:

"Is the magistracy in towns corporate of a description equally respectable with that of the magistracy of the county?"

"In property they are inferior; it is not matter of property that regulates in the corporate towns. In Dublin it is corporate influence and personal character united."

"Is their administration of justice equally satisfactory?"

" I believe very far from it. Some strong recent instances have occurred to the contrary."

" Has any remedy occurred to you, by which it could be made more satisfactory in the corporate towns?"

" To enlarge the number of magistrates, and to give to the crown or the government a power of appointing co-ordinate magistrates, in addition to the corporate magistrates. The magistracy ought not to be taken away from them, nor can it, consistently with their chartered rights; but, I think the crown ought to have a concurrent power of constituting magistrates."

" Has not that been done in one particular city in the South of Ireland?"

" I think I have heard it has been done in the city of Limerick, and with the best effect imaginable; I did hope, it had been a general law, and think it would be a very good one. In the city of Dublin they have a Police Magistracy established of the best description; they do their duty incomparably. The Police Magistracy are composed of members of the corporation and barristers, and give universal satisfaction."

" Are there any Roman Catholics in the Police Magistracy of Dublin?"

" None."

" Did not that necessity of adding to the magistracy of the city of Limerick arise from the misconduct of the chartered magistrates?"

" That I understand was the ground on which the application was made to Parliament, and on which the bill passed; I am only sorry that it is not a general law."*

In the human body there is required for the support of animal life, and the due discharge of its various functions, a series of effects, so reciprocally connected, that each becomes the exciting cause of that which follows it; and, if morbid action occur in any one of the organs productive of such successive effects, some immediate derangement in all the subsequent effects occurs, and the final result is disease; but if in the series or organs, more than one be deranged, there will probably be a corresponding increase in the virulence and danger of the final disease. In the political body, a similar principle of mutual dependence among its various organs exists; nor will the final healthy effect be produced, unless a healthy action be maintained throughout the whole series. It is not, therefore, sufficient to secure the purity of the principal tribunals; that of the very lowest should be guarded with proportionate jealousy; nor will the system be perfect unless the immediate executive instruments of justice, including therein the ministerial officers, and all the

* Evidence of the Hon. Robert Day, late one of the puisné judges of the Court of King's Bench, taken before a Select Committee of the House of Lords, appointed to inquire into the state of Ireland, 25th May, 1825.

civil, criminal, and fiscal police, be also deeply impressed with a knowledge and right feeling of their various duties. Substantial justice cannot be transmitted to the people through corrupt channels. Injustice may. Therefore, though the whole magistracy be upright, yet an unprincipled body of ministerial or executive officers may receive a pure, and transmit a polluted law. But if any portion of the magistracy itself be corrupt, the poison will be still more malignantly and extensively communicated through a corrupt medium, till the whole community is overspread with the loathsome canker of obscure oppression.

With respect to the ministerial offices of high and under sheriffs, on which the pure administration of justice so essentially depends, considerable improvement appears to have been lately made. Much yet remains to be done in the latter office. Recent improvement, however, implies recent evil. The evil has been admitted in the extract from the Chancellor of the Exchequer's speech before given, and the following extract from the evidence of Mr. Justice Day, may be added as a conclusive proof that it did exist:

"From the many and high duties you have performed for a long series of years, has it not fallen under your observation, that great jobbing has taken place in many matters on the grand juries?"

"Most disgusting, insomuch as to let down the character of the Irish grand jury. They do not maintain that high and sacred character in that country, which they do in this, in consequence of that corrupt practice of peculation which we have no competent means to control."

Again,

"Are not the grand juries in general composed of the property of the county?"

"The grand juries, now, are composed indifferently of the leading men in the county, since Mr. Peel's important amendment in the mode of appointing sheriffs; before, they were generally taken from the prevailing political party, who had the nomination of the sheriff, and several of the respectable gentlemen on the other side were often left out."

"Are there not many places in Ireland where, from the want of resident men of property, they are obliged to resort to persons of an inferior description to fill the magistracy?"

"Certainly they are obliged to do so, in the present state of society in Ireland."

"Does not the same extend to the grand jury?"

"No doubt, in some measure."

"As the grand juries are now struck, is it not entirely in the breast of the high sheriff who shall be on the grand jury?"

"Entirely, both now and always; such too, I presume, is his power in England, controlled only by a sense of duty."

"Is it not the general custom for that sheriff to place his own friends

on that grand jury, without exactly weighing their property or their respectability?"

"It certainly was, and perhaps still continues to be the practice for sheriffs, in violation of the trust reposed in them, to crowd the grand juries with personal favorites and friends, in exclusion of their betters; but it is now five years and upwards since I quitted the bench, and am, not, therefore, so well acquainted with what has passed since the very important amendment I before alluded to has been introduced; but I should think that censurable practice is much less in use now than heretofore."

To a question whether the Roman Catholics were summoned to attend grand juries in cities and corporate towns, equally as in counties, the answer is,

"No, I believe not. In the city of Dublin, with which I was perfectly acquainted, I never saw a Roman Catholic grand juror. I was second judge of the Court of King's Bench for several years, whose province it is to swear in and to charge the grand juries of the city and county; and I know in the city of Dublin there never was a notion of a Roman Catholic being summoned or serving."

When speaking of sub-sheriffs, and of remedying the means of their appointment, he says,

"I think it would be very desirable if, consistently with the responsibility of the high-sheriff, the sub-sheriff could be appointed by another authority; for I think the sub-sheriff has (at least heretofore) been most corruptly and iniquitously appointed. In some instances there has been a pecuniary understanding between him and his principal."

Again,

"When the officer is found, has the party reasonable assurance that his writ will be duly executed?"

"According to my old experience, it was very doubtful whether the writ would be executed; the sheriff was always ready to give the party a warrant if he would become what is called special, or give it to a person of his nomination, if he would discharge the sheriff from any responsibility, but the sheriff or sub-sheriff was too much in the habit of seeking pretences for evading the execution of the duty."

"If the sub-sheriff were found to execute a writ on any gentleman in the county without notice, what would be the consequence?"

"That the gentleman would take great offence at it. It would be considered as an act of great unkindness, and perhaps have produced great hostility between the parties, or at least of lasting indisposition against the officer; it was sure to do that."

"It was the course always to give notice before a writ was executed?"

"It was the general practice, I believe, and such was produced by a corrupt understanding between them; it is not so now, I believe. Justice and the laws are now executed in a very different manner. In the counties I best know, there have been very few applications to the Court of King's Bench, few complaints against sheriffs and sub-sheriffs, in comparison with what there had been in my time."

" Has not the whole practice of executing the office of sub-sheriff greatly improved of late years?"

" Very considerably."

" Your late answers referred to former practice?"

" Yes; while I was on the bench, which I quitted early in 1819."

" How far back do you date the improvement in the office?"

" I have stated that it was in the administration of Mr. Peel, while he was secretary to the Lord Lieutenant in the year 1820 or 1821."

It is proper to mention here, that Mr. Peel's improvement in the mode of appointing sheriffs, referred to in the above evidence, consisted " in taking the nomination of high sheriffs from the hands of the prevailing political party," and appointing them on the recommendation of the judges. The beneficial effect of the improvement in some degree extended to the office of under-sheriff, but that it is not yet generally executed as impartially as it should be, seems fully admitted by the evidence of the same learned person, and also by the evidence of several other witnesses.*

The system above described, having existed for a long period, it is obvious that its dregs cannot be easily or immediately removed, nor public faith in its purity be speedily created: and as no Catholic can hold either office, the presumption is, that whatever may have been the amount of evil resulting from malversation, the Catholics endured their full proportion.†

The grand and petty juries being returned, and a large part of the legal process of the higher courts being executed by these officers, it is perfectly obvious that if they be corrupt, they possess the means of doing most extensive mischief, by the several modes of omitting, perverting, and partially executing their duties. It is equally plain that the paths of this species of injustice cannot easily be traced:‡

* See particularly the evidence of Matthew Barrington, Esquire, Crown Solicitor for the Munster Circuit, 15th April, 1825; and of the Hon. and Rev. Archdeacon Trench, 6th May, 1825.

† There is some doubt whether a Catholic can legally hold the office of under-sheriff, but none that, in fact, a Catholic never does hold it.

‡ Mr. North is reported to have said, "It had been assumed there was a mal-administration of justice, and that the institution had proved a check upon it. He denied there had been any mal-administration. He had practised at the Irish Bar since 1811, and from the acquittal of Doctor Sheridan, down to the prosecution against Mr. O'Connel, he had never known a perversion of justice."—*Morning Post*, 15th Feb. 1825; *Dublin Evening Post*, Feb. 19th, 1825. The same statement is made in other papers, with some slight differences of language; there is however, in all of them, intrinsic evidence that though the assertion may have been made by Mr. North, he is not answerable for the composition.

It is curious, that on this very trial some pleas in abatement were

not only the responsibility, but the very measures of iniquity are divided among many. "Thou canst not say I did it," is every man's defence, yet no man doubts that it has been done.

put in by Mr. Kirwan, one of the traversers with Dr. Sheridan. The first plea was to quash the indictment, because six of the grand jury were divisional police magistrates of Dublin, holding offices of emolument at the pleasure of the Crown, and therefore not indifferent persons. Also, of the petty jury twenty-two were set aside by the Crown without any cause shewn. This mode of selecting the jury was strongly reprobated by Mr. Burrows, who was the leading counsel for the traversers; still stronger language to the same effect was used by Mr. Gould, another of the counsel, in his address to the very jury so selected. In arguing against a demurrer to the above pleas, Mr. North expressed himself in the following eloquent language, which is cited, not from any desire to suggest any inconsistency between his real opinion at that time, and when he made the above declaration in Parliament, since it may have been incumbent on him as counsel, to press arguments that he really felt to be unfounded; but, because his description of the various modes and motives by which a Grand Juror may be corrupted is forcible and eloquent. "Indeed, from the reason of the thing, the integrity of a grand jury requires stronger guards and greater security than that of a petty jury. They hear but half the evidence, there is nothing to counteract the first unfavourable impression. Again, they are not the final tribunal. A man of infirm virtue, yields to the temptation of being half unjust; distinguishing between the indictment and conviction, he extenuates his offence, by the consideration that he decides not upon the guilt, but the imputation; he consoles himself that another jury will interfere betwixt the charge and its consequences, and is bold enough to visit with the reproach, where he dares not to visit with the crime. But, my Lords, the Attorney-General attempts to alarm and overawe us by the indecorum and indecency of supposing, that a subject can be corruptly influenced by the King. A dazzling sophism, a splendid fallacy! True, the source of this influence is indeed pure and uncontaminated. To presume it otherwise, is more than indecorous and indiscreet. It is illegal and unconstitutional. But the influence of the Crown finds its way to the subject through many mediums. To him it is derived through a long and corrupt channel, and it gathers in its course the vices of every soil through which it flows; until the Sovereign's authority, exerted in the first instance only for the noble purpose of impartial justice, at length, perhaps, becomes known to his subjects in the caprices, the intemperance, the prejudices, and the passions of the meanest and most unworthy of his servants. The argument of the Attorney-General operates on my mind, directly the reverse of that which it is intended to produce. As he extols the dignity, as he heightens the attributes, as he enlarges on the qualities, as he reveals the full splendour of majesty, I grow more and more alarmed; I tremble for the integrity of the jury, and for the safety of my client. Nor are my apprehensions diminished, when he vilifies and degrades the character and situation of the traverser. I confess, on the contrary, my fears increase, lest the accused should suffer from so unfavourable a comparison, and be injured by so painful a contrast. I am only the more anxious to secure the grand juror's purity. In circumstances like these, his integrity should be fortified with walls of brass. But when you add to all this, a direct interest disturbing the fair exercise of an impartial judgment; gra-

The corrupt seek corrupt instruments, the timid seek to support their own weakness by the aid of the daring, and to shift the danger on those who seem to slight it, while the intemperate and prejudiced zealot will, even though conscientious himself, naturally employ those whose prejudices accord with his own, forgetting, that the resemblance may be only in their prejudices and not in their honesty; or if he do not forget, still looking rather with complacency on the attractive passion, than with austerity on the repulsive vice.

The original mover of injustice always desires that those who follow, should somewhat exceed him in offence, provided he be exempted from the danger. The superior holds out a corrupt hope, and the labourer generally proves himself worthy of his hire.

The two great instruments of the immediate dispensation of justice, the grand and petty juries, are, from their nature, of the whole judicial body, least under the direct control of government. They are called forth, professedly without its intervention, for a short period, and a specific purpose. The exercise of their function is for the greater part in secret, is known only by the result, and when that is declared, they sink into the body of the people, no longer liable to any censure, except what the public opinion and feeling may pronounce. The misconduct of such bodies can rarely be brought home to them; it is a question between themselves and their conscience. The only security government can give to the nation for their purity, is a rigid and jealous watchfulness over all the permanent, judicial, and legal functionaries whom it directly appoints, but particularly over those officers whose peculiar duty it is to nominate or select the jurors. No precaution of government in appointing those officers can be superfluous, because on the one hand, though the perfect rectitude of their conduct cannot ensure a corresponding perfection on the part of the juries, yet on the other, the slightest abuse of their power is certain to taint the composition of those bodies. The means of mischief they possess, has been too often and terribly exhibited in the history of the packed juries of former times. The facility of making

titude for favours received, expectation of favours to come, dependency of present fortune, and hope of future emolument, how can you expect that they will not totally warp the reason and obscure the candour of the juror? Such a biassed juror will listen to no witnesses but his hopes and his fears. The pleasure of the Crown will enforce, exaggerate and amplify all the evidence against the subject."—*Howel's State Trials*, Vol. XXXI. p. 590.

juries an instrument of public oppression, and the difficulty of making them an adequate instrument of civil security, appear to be both so great, that, theoretically considered, the boldest speculators would hardly have ventured to anticipate the possibility of such an institution ever arriving at the degree of practical perfection it has attained in England, and which only those, who have had frequent opportunities of observing its operation, can fully appreciate. This result, however, may be easily explained, for exactly at the point where government loses all authority, public feeling assumes it. Though government may establish many valuable regulations for securing the pure constitution of such tribunals, yet when actually constituted, it can seldom exert any further influence over them; while on the other hand, it is only from the moment of their being constituted, that they come under the direct observation and influence of the public mind.

It is public opinion which controls, regulates, and refines their conduct. The jurors approach their duties with minds participating in the opinion of the nation; they cannot entirely devest themselves of it, even during the performance of their duty: and on returning to the community, though protected from personal censure, yet they cannot escape the "upper, nether, and surrounding fire" of this chastening purgatory; so that when a similar office devolves upon them, they return to its exercise somewhat cleansed of their secret sins.

Laws being general rules, are therefore liable to many exceptions which the complexity of human affairs must frequently produce. If justice cannot be done under the terms of the law, must it then be neglected when those exceptions occur? Certainly not. The only mode, however, of doing justice, is by placing a discretionary power of supplying the defects of the law in some hands. If given to the judge, there is great danger of abuse from many causes. His political feelings, his dependence on government for future advancement, the preponderance of his professional over his social habits of mind, his familiarity with technical language, all tend to diminish his sympathy with public feeling, and to lead him to an erroneous estimate of the motives and language of ordinary men. His station also gives to his decisions, in the exercise of this discretionary power, an authority as general law, which nothing but the legislature ought to confer. But if this power of deciding what is just, in cases where the law affords no precise rule, be entrusted to a jury, great advantage will result. The jurors are generally indepen-

dent of government. They are taken from the same class as those, upon whose rights they are to deliberate and decide. Their habits of mind and feeling, their use of language, their modes of interpretation, their estimate of human motives, are all similar to those of the parties, and their sympathy on those points is as perfect as can well be expected. Their decision will, therefore, in all human probability be in conformity with the general sentiment of mankind, as to what is or is not justice in cases of this nature. Many such cases will occur, and hardly any case whatever is exempt, in all its parts, from the necessity of using this discretionary power for the purposes of complete justice. The power of apportioning damages is an instance of its daily exercise by the jury. Their decisions also, avowedly resting on the circumstances of the case, can never assume the authority of general law, and the uncertainty whether any future jury will, in cases somewhat similar, come to a similar decision, prevents delinquents from calculating either on the errors or the lenity of such tribunals. Juries become, in fact, an instrument for expressing the sentiments of mankind, as to what is natural justice under peculiar circumstances, in which some decision must be given, and respecting which, the bulk of mankind is most likely to form a correct judgment.

The dependance of this admirable institution, upon the force and purity of public opinion, is a remarkable instance of the intimate union subsisting between the sound principles of good government. It illustrates the powerfully beneficial effects of national sentiment, in giving a wholesome character to national institutions; and it prominently exhibits the sacred duty of the nation and the government to join, in supporting every motive and invigorating every instrument, which can promote the formation, sustain and exalt the tone of public opinion.

Not wholly exempted from legal rules, yet having a large discretion, juries are the representatives of public feeling, to arbitrate between the rigidness of law, which would prescribe every thing, and the excesses of individual liberty, which would submit to nothing.

Impressed with the belief that great evil resulted from the mal-formation and misconduct of such bodies, the Catholic Association directed that portion of public sentiment within its influence, towards their conduct; and it called for the animadversion of the rest, not by vague and indefinite accusations against those bodies, but by bringing solemnly before them, by discussing formally and legally, offences which otherwise, from the supineness of public officers, or

the poverty and fears of individuals, were likely to pass unnoticed. Had they even acted on those occasions with such asperity* and party virulence, as to excite corresponding feelings in their opponents, the very contest would have attracted attention from the impartial body of the nation, and as the cause rose in public regard, so the circumspection and self-estimation of those who were to decide on such momentous interests, must have risen with it. Who, that has observed the history of human nature, will deny that from this clash and conflict of human passions, social good has arisen? The danger proceeds from these passions taking a wrong path. The path here taken was that pointed out by the law of the country.

That there was an inefficient and unprincipled body of lower executive officers, will be denied by no candid person at all acquainted with Ireland previous to June 1822. To those who are not aware of the system then existing, abundant proof of the above position will be supplied by the following facts and declarations.

In June 1822, a bill was brought into Parliament, and passed, for the purpose of creating a new species of police. The act is 3 Geo. IV. c. 103, commonly called the Constabulary Bill. It is not necessary to recite its provisions here; but its avowed objects were to remedy the defects of the old system, by creating a new body of Police, composed of stipendiary chief Magistrates, Inspectors, chief Constables, petty Officers and men, to the amount of about 5000—a species of gens d' armerie, at an additional expense of about £40,000. They were to be gradually introduced, at the request of the magistrates of the several counties, or by the sole authority and at the discretion of the Lord Lieutenant. Whatever abuses may have been practised under this measure, that its general operation has been extremely useful, is indicated by its almost universal adoption, notwithstanding the natural dislike the landed proprietors entertained to the increased expense; and some jealousy, perhaps not less natural, at the encroachment of this new police on their authority, and that of their dependants, particularly in the case of the chief constables. These officers appear to have been in general selected with much care; many of them being military officers on half-pay, inured to service, and trained to habits of accuracy, and exact attention to their duty. Though placed under the orders of the magistrates, yet, their power, the equality of their rank in society, together with their being appointed to the districts without the intervention of the magistrates, were circumstances that

might sometimes fret the sensitive delicacy which has been observed to characterize a country gentleman when he stands upon his own property, fully impressed by the wisdom of the legal maxim, *Cujus est solum, ejus est usque ad cœlum.* The idea of official duty, being their principal business, and the habits with which the chief constables entered on their offices, might also at times cause an ungrateful interruption to the tranquillity of a country life, or suggest the possibility of humiliating comparisons.

All these were causes of prejudice against the system, yet the good sense and good feeling of the country gentlemen quickly stifled them, after a short experience of the benefits to be derived from the measure. The mere fact, of such a complete revolution in the police system of the country, being proposed and completed by Government, seems an adequate proof that the original system was, in the judgment of Government, bad. However, to meet all doubts on that point, the declarations made and written by those best able to determine the question, are now added.

On the 7th June, 1822, on the debate in the Commons upon the Constabulary Bill, Mr. Plunkett, then Attorney-General for Ireland, in replying to an assertion that the plan proposed would be converted into a job, said,

"And if it were possible that the projected system might become a job, it was quite certain that the existing system was notoriously and avowedly so. For when the power of appointment was divided among twenty-four persons, each of whom were exempt from responsibility, and shifted all blame upon his next neighbour, the appointment could not fail to resolve itself into a job, from the nature of the system, more than from any fault in the parties who worked it."

Again,

"While under the old one (system), a gentleman upon a grand jury, appointed some servant or dependant who was better provided for as a barony constable than as a hanger-on upon the appointer's bounty, and whatever was the man's conduct, he continued to act as constable for the period of six months, until the grand jury sat again.*

In the same debate, Mr. C. Grant, who had lately been chief Secretary for Ireland, made the following statement, which is given entire, as it unequivocally declares, not only the previous defects and abuses in the police, but also in the magistracy, both in the mode of their appointment, and in their subsequent conduct.

"All concurred in stating the existence of a great political evil in

* Edinburgh Annual Register, June 7, 1822, p. 58.

Ireland, and the necessity of applying some remedy, and this evil consisted in the heterogeneous composition of the Irish Magistracy. Unquestionably, there were some persons among them, who, in periods of great public danger, had performed their duty in the most honourable, the most conscientious, and the most effective manner. But there were others, who had been raised to the rank (for which they were no way qualified) on account of the influence they possessed over local politics, of the assistance they were enabled to lend to certain great personages, and of the morbid sensibility which they had contrived to display, on various occasions of public calamity. There were also among them men of ruined fortunes, who sought to repair the distressed state of their finances, at the expense of the unfortunate persons who were placed under their control.

"A magistracy so constituted was not likely to agree well with itself; and here it often happened, that one Magistrate would bail a person, for no other reason but because he had been committed by another Magistrate, with whom he was not upon terms of amity. The constables of the different baronies, were often as ill qualified for their situations as the Magistrates were for theirs, and were, in general, deeply implicated in the local factions and animosities of the towns in which they resided."

As a proof of the evil arising from the appointment of such persons, he stated,

"That in a barony where there were two Magistrates, not on the best terms of amity with each other, the two constables were at the head of the two parties into which it was divided. The two constables mutually applied to the Magistrates with whom they were connected, for warrants to arrest one another; and, having obtained such warrants, each proceeded with a considerable force to execute them, and the two parties having met, a violent conflict ensued between them.

"This was not an objection to the principle, but to the practice of the present system. The whole evil consisted in the manner and the motives in which the magistracy and constables were appointed. If from a principle that was good, and a practice that was not faulty, such consequences had resulted to Ireland, he would say, that the system ought to be subverted. But when the practice was allowed on all hands not to be good, why were they thus suddenly to abandon the principle? Before they changed the principle of this system they were bound to shew, that every mode of correcting it in practice had been tried, and upon trial had been found inefficient.

"Now had any attempt been made to exclude unworthy persons from the commission? The reply must be in the negative. In the disturbances of 1770 and 1787, and also upon subsequent occasions, complaints had been made of their supineness, but no measures had been taken to remove it. So also with regard to the constables and the police. Had any law been made to correct the gross and palpable abuses, of which these latter individuals had been confessedly guilty? No such thing. Laws had been made to increase their salaries, and to regulate their emoluments; but no effort of law had been made to regulate the qualifications necessary to their appointment, either with

regard to their age, their strength, their being perfectly illiterate, their being tithe proctors, or their filling any other odious and obnoxious situation. With regard to the revision of the Magistracy about two years ago, the names of the whole body had been submitted to the Lord Chancellor, who had given up a considerable portion of his time to the investigation of the list, but that revision was not yet completed; and why, he would ask, was this bill introduced before it was so?"

Another proof that the belief of justice being ill administered, was not confined to the Catholic Association, is contained in the history of the riot at the Theatre in Dublin, in December 1822, and the proceedings which followed. The whole subject is too recent to be forgotten, and mingled with too many bitter feelings to be needlessly brought forward in detail. An outline is enough for the present purpose. It will be remembered that the bill of indictment was thrown out by the grand jury; that this measure excited the surprise and indignation of Mr. Plunkett, the Attorney-General, who declared, and carried into effect, his intention of demanding, through an ex-officio information, that free course for public justice which he seemed to think had been obstructed by the grand jury. The petty jury could not agree, and no verdict was given. This mode of proceeding was violently censured, as in itself a breach of law, or at least an unconstitutional act. Accordingly on the 15th of April 1823, a motion was made in the House of Commons upon the subject; and this was followed, on the 23d April, by another, for inquiring into the conduct of the Sheriffs of Dublin, which inquiry, after a considerable number of witnesses had been examined, and some strange disclosures made, was dropped, for reasons which, as they were never declared by the House, it might be rash to conjecture, though doubtless they were the dictates of a sound discretion.

For the purposes of the present argument, the institution of those proceedings sufficiently indicates what were the opinions of those who instituted them. Whoever desires to see the strength with which those opinions were expressed, and to judge how far their correctness was established by proof, must refer to the detailed proceedings.

To complete the proofs of justice having been ill administered in Ireland, there remain, in addition to the extracts already given, the declarations of those best able to decide the question. In 1822, Lord Redesdale declared in the House of Lords, "That there existed in Ireland two sorts of justice, one for the rich, another for the poor, and both equally ill administered." This declaration was cited in the House of Commons by Mr. Brougham, in 1823, on present-

ing a petition respecting the administration of justice in Ireland, and by Mr. J. Smith during the debate which is the subject of the present examination; and no denial of its having been uttered was made by any body.

A charge, said to have been delivered by Baron Smith, to the grand jury of the county of Sligo, contains the following passages:

"With regard to cases of illicit distillation, he believed there was not much in this county to be disposed of in this way. In a neighbouring one the case was lamentably the reverse; there the number of cases on the book was 451; of these, we had disposed of 172. But how had he despatched them? First, there were to be deducted 41 submissions; so far all was right; but in the remaining 131, issues were sent to a Jury, for formal and instantaneous acquittals, without offering an atom of evidence in support of the prosecution. This might, perhaps, under the circumstances, have been the best course for the professional conductors to advise and to pursue. But in the state of things which rendered such a course expedient, he must be permitted to suspect that there lurked something very wrong. Where such a multitude, as must be included in 131 numbers, were dragged to the Assize town, merely to learn that they had no business there, and that there was nothing to be proved against them—there must be something in the system susceptible of correction. It might even seem surprising that there should be evidence sufficient to justify the finding of 131 bills; yet, not even an atom of proof to offer to a petit jury. What became here of the rule, that what was enough, in the way of proof, to warrant the finding of an indictment, would, if uncontradicted, be sufficient to justify a conviction? What was the cause of such a course? Was it that on each bill found the Revenue officer received a perquisite of two guineas? That, therefore, he had an interest to proceed so far—but no interest to carry him farther? He could not say that this was the explanation; but he doubted the expediency of a system which involved such a temptation. In the mean time, what might the populace, who witnessed, and who endured the consequences of such a course, think of the administration of justice in this country? When they found themselves, nay, and their wives and daughters, dragged in, for confessedly no good reason, might they not be tempted to listen to those imputations on our tribunals, with which their ears have been abused? What was a Judge to think of the seeming situation in which he was placed, when he, as it were, pretended to administer justice—pretended to try 131 cases, but in fact and truth merely acted a part in a proceeding, which, exclusive of other heavy costs thrown upon an impoverished country, put between five and six hundred pounds of fees into the pockets of individuals—some interested to procure a finding from grand juries—others to obtain a verdict from a petit jury, but some interested to have the trial a substantial, and not a formal one?—How happened it that in the 451 cases, there should not be one of a Still found? Could it be that stills were left to generate similar proceedings at a future Assizes? How was it, that in spite of so much activity on the part of officers,

offence seemed rapidly and enormously to increase? Could it be, that in the instance of every officer, this activity and rigour were apparent, not real, and that the object was to secure emolument, and not to put down crime—lest in putting it down they might dry up the sources of this profit? He asked pardon for having said so much upon this subject. He had wished at once to excite their vigilance, and to give utterance to his apprehensions, that, in the system which he had been noticing, there lurked abuses which called for some correction."*

A despatch from Lord Wellesley, dated 29th July, 1823, relative to the state of Ireland was laid before Parliament. The subjoined passages from it are given, as unequivocally admitting great defects in the previous system of administering justice.

"Under the protection of the law lately enacted, an improved force of Police has been established in the Country, and the Magistrates have incessantly laboured to improve the local administration of justice, and to give additional power to the laws by a more vigorous and impartial administration of their provisions."

Again,

"Among the causes of public amelioration which have commenced to operate in Ireland, the act of the last session of Parliament for the improvement of the Police, demands particular notice."

He then states the extent to which it has been adopted, and the benefits derived. Speaking of the revision of the magistracy he says,

"The experience of all practical government, the rules of all political wisdom, would naturally suggest that such a revision could not be perfect in its first effort, and must require frequent and careful reconsideration, before its advantages could be entirely realised.

"Accordingly, complaints have arisen with respect to the most delicate and arduous, considerations in the progress of this most necessary reform. Attention has been paid to those complaints, wherever it has been deemed consistent with the principles of the intended improvement, and I have no reason to doubt that the commission of the peace will be the object of constant vigilance and care, until the beneficial views of his Majesty's government shall be accomplished to the utmost practical extent, in the general improvement of the Magistracy of Ireland. In some counties the reform is already nearly complete, and generally satisfactory: while throughout Ireland, the mere knowledge of the existence of a plan of revision has produced salutary consequences, by increasing the diligence, accuracy, and careful conduct of the Magistrates, and by a more effectual and more pure administration of the law."

"The useful practice of assembling frequently and regularly in petty sessions, has been introduced into some counties, and the dangerous habit of administering justice by separate Magistrates, at their respective residences, is gradually subsiding."

* Supplement to the Dublin Evening Post, 25th March, 1825.

"I have given every encouragement to the extension of the system of holding Petty Sessions; and one time contemplated the propriety of suggesting a law upon the subject."

In recapitulating the state of the country resulting from the various acts of Government, he states,

"That a considerable improvement has been effected in the administration of the law, within the districts which have been disturbed; and that it is reasonable to expect increased vigour and purity in the administration. That the new Police has been introduced into the lately disturbed districts, and into others with general approbation, and with the cordial and effective co-operation of the Magistrates; and, in many instances, with great succes in the detection of crime, the speedy apprehension of offenders, and the maintenance of public peace. That the revision of the Magistracy is proceeding regularly, and that the general conduct of Magistrates in establishing frequent Petty Sessions, and other useful regulations, affords just reason to expect a progressive improvement in the Magistracy of Ireland."

Lastly, the improvements stated in the above extracts from the despatch, are plainly alluded to by Mr. Plunkett, in the debate under consideration.

"To the wise, temperate, firm and enlightened course pursued by the noble Lord (Wellesley), the country owes its present tranquillity. Through his instrumentality confidence has been restored, and outrages repressed, the administration of the law duly enforced, and equal and impartial justice dispensed."

Can any conclusion be drawn from the above proofs but this; that a strong and well-founded belief in the mal-administration of justice, has long prevailed in the mind of Government? If the Magistracy were pure and efficient, why revise it? If singly, and at their own houses they dispensed impartial justice, why so earnestly press on them the measure of holding Petty Sessions? If the mode of appointing sheriffs and sub-sheriffs did not taint the sources of justice, why alter it? If the old police of the country laboured under no defect but in amount, why not supply the want by augmenting the number, instead of creating a new system at a considerable increase of expense? If the Ex-officio information and inquiry in the House of Commons did not prove an abuse of justice, either in sheriffs or grand juries, it at least proved, that such a belief existed in the minds of those who instituted them, or why did they do so? If the evidence of Mr. Justice Day, and the despatch of Lord Wellesley possess any authority, and if the speeches attributed to Lord Redesdale, Mr. Plunkett, Mr. Grant, and Baron Smith, be genuine, and the facts stated correct, then the position of the Catholics and the Association is established. If erroneous,

till the error be proved, let not these bodies be condemned for having been misled by appearances, which, in spite of their ample information, imposed equally on the acute minds of those eminent persons.

The position laid down at the beginning of this argument, that the law was often ill-administered, appears to have been proved on unquestionable authority. To prove that this ill-administration particularly affected the Catholics, requires but a few lines. At least five-sevenths of the population are Catholics. On the majority of the nation, the principal weight of judicial and executive power must obviously press. But the bodies that wield this power, are chiefly, and some exclusively, composed of Protestants. Again, political and religious animosity is notoriously rancorous and prevalent between the Catholics and Protestants of Ireland; and if justice were corrupted in dealing with other subjects of human controversy, it is impossible that upon political and religious matters alone, it should have been pure and even-handed. Admitting the evil and unjust passions of both parties to be equal, the question is, Which can give most effect to its ill designs? The answer obviously is, That which has most power.

The other ground upon which the Association justified its interference, was the non-administration of justice, resulting from the expense required to obtain it, and from the suspicion entertained by the Catholics, of those who were appointed to dispense it. This position it is hardly necessary to argue at any great length, because there can be no doubt that, even in England, many rights are lost, and many wrongs pass unpunished, on account of the expense of law. The same results must, to a greater comparative extent, occur in Ireland for obvious reasons. There the people are much poorer, and outrage much more frequent, particularly that species of outrage resulting from the animosity of political and religious factions, a species of offence almost unknown in England. It can hardly be conceived that any person will dispute the fact, that the expense of law is, in England, a great bar to obtaining justice. This expense, by a strange perversion of reason, has been actually justified, because it tended to repress litigation; as if litigation signified any thing but an attempt to obtain justice according to law. The argument actually involves the monstrous position, that justice is a saleable commodity; whereas, if there be any one right belonging equally and universally to mankind, it is the right to obtain justice.

The following questions have been triumphantly proposed to the Catholics, on the subject of one of their religious doc-

trines: "Are not masses beneficial to the souls of the dead? May not masses be purchased with money? Does it not then follow, that a rich man may thus secure benefits in the next world, from which a poor man is excluded?" Apply this mode of argument to the expense of law. Has not every man a right to justice? Can law, which professes to administer justice, be purchased with any thing but money? Does it not then follow, that a rich man may thus secure rights, from which a poor man is excluded? The argument is even stronger in this case, because exclusion here, is from an undoubted right; there, only from benefits to which no man can have an absolute claim. There can be but one defence for justice being costly, namely, the impossibility of administering it cheaply; and the value of that defence must depend on the proof of such impossibility being substantially established. The expense of law in Ireland is also, in several respects, greater than in England. The last branch of the above position, namely, the suspicion of the judicial body entertained by the Catholics, requires still less proof, depending as it evidently does, upon the truth of the fact, that justice was ill-administered by the lower judicial and ministerial officers in Ireland. If the foregoing pages have established that fact, they have, at the same time, established the necessarily co-existent fact, that the Catholic population must have been aware of it. That belief must inevitably have repressed their applications for justice, while it tended to confirm and embolden the licentiousness of their enemies; for when the steady light of Justice is obscured, the innocent walk in fear, but the wrong doer grows bolder in the darkness.

Having, as the writer conceives, established the assertions of the Catholic Association, respecting the administration of Justice, the next objection, that it is the part of Government alone to correct the mischief, and that the Association by attempting to do so, usurped a function of Government, shall be considered in the same manner as the charge of usurping other functions of Government has already been treated. The reader is referred to the general observations, before made, upon the nature of a function of Government, and of any usurpation of it. According to the view there presented, the defence of the Association against the present charge will be complete, if the following propositions be established; first, that it has, in its legal proceedings, assumed only such power as Government has permitted other parts of the community to assume, for then it cannot be accused of having usurped the exclusive function of Go-

vernment: second, that it has not exercised that power, in such a manner as to preclude Government from exercising similar functions, for then it cannot be accused of having violated the due subordination of power. The arguments employed to establish the first of these propositions must, in a great degree, contain the proof of the second also, because, by proving that the power it has exercised, is analagous to that exercised by other bodies and individuals, not only without molestation, but even under the sanction of the legislature, it may fairly be inferred, that such permitted exercise of power, could hardly, by its nature, encroach on the just authority of Government. Some additional proofs, however, will be offered.

Before the position, that it is the part of Government alone to redress the evil of mal-administration of Justice, can be admitted, it must be proved, that it has at all times both the power and the will; for if either of these should ever be wanting, the redress can be only partial. The first step, towards the redress of any evil is to procure a knowledge of its existence, and the evils which men generally discover soonest, are those which press upon themselves, or impede their own measures. It is therefore to the detection of evils of this class that the acuteness of Government would naturally be most directed; it is here that its vigilance will appear greatest, its information most exact, its power of redress most ample, and its disposition to employ that power most prompt. The last quality indeed is seldom wanting. The jealous spirit of dominion never sleeps, either in the breast of the most supreme despot, or of the sordid slave whom it has elevated in the ranks of misery, just high enough to brandish the whip over his fellow-slaves. But with every motive to employ every means for the detection of designs against itself, it is unequal to the task, and acknowledges its incapacity, by continually calling on the people at large to act as informers, witnesses, prosecutors, and executive officers. In the highest order of offences, such as Treason and Rebellion, every subject is bound, by his allegiance, to assist Government in the detection of offenders when he has any knowledge of their acts or designs; and, lest the general obligation should not be sufficient, various penalties are affixed to the neglect or misprision of those crimes, some too, of a kind that leaves no choice between acting as an informer, and being treated as a criminal. But oaths, the sense of social duty and of personal terror, are not deemed enough; personal interest is stimulated by offers of large pecuniary rewards; and

lastly, lest all these motives should be insufficient to induce private persons to aid Government in repressing and detecting such crimes, the law, by the doctrines of attainder, corruption of blood, and forfeiture, endeavours "to restrain a "man not only by the sense of his duty and dread of per-"sonal punishment, but also by his passions and natural "affections; and to interest every dependent and relation "he has to keep him from offending."* In other words, to convert the best feelings of man's heart and the dearest ties of nature, into domestic ministers of justice to forewarn and to denounce.

In the laws respecting offences against the Revenue, over which there is no disposition to slumber, abundant proof is afforded, of the dependence of Government upon the people for help in discovering both the wrong doer and the wrong deed. The difficulty of preventing and detecting these offences against the state is so great, that both in principle and in practice, the law is obliged to encourage the violation of domestic confidence and social faith; to contaminate itself by communion with spies and informers, whom it loathes, while it fosters them; and to place a dangerous and indefinite power in the hands of men, whose sole moral distinction is treachery to more daring villains than themselves, and whose sole political utility is to act as proveditors to the Hulks and the Gallows.

In the very country in question, but a few years have passed since the laws against illicit distillation, laid down in principle, that every man must be either an informer, an excise officer, or a criminal, while in practice, they made every man who was indisposed or unable to become either, a victim. The absent landowner was fined because he possessed the soil on which the offence had been committed. The peasant because he slept within the district. The scanty, hard-earned wages of the healthy, and the hourly wasting pittance of the sick and the dying were wrung from them in fines, because they toiled, and sickened, and were stricken by death, within a certain tract of country. The test of guilt was not, "Hath he done this?" but, "Doth he dwell "here? Hath he any property in this soil? Then, since "he is not an informer, he must be an abettor of the chief "criminal." In the eyes of the law, the illicit distiller had polluted nature herself, therefore it cursed the earth for his sake, and all who dwelt within its limits partook of the affliction. Can it be possible, that the Government and Legis-

* Blackstone.

lature of England would have had recourse to such means of forcing the people to assist in discovering and punishing offences, if they could have obtained their object without the people's aid?

Throughout the system of pains, penalties, forfeitures, informers, spies, and rewards, there runs an acknowledgement of the principle, that Goverment, (even where its power is most absolute, and its interests most animating,) cannot alone insure the disclosure and coercion of crimes and offences. It avows its want of assistance from the people; it calls on them for aid, it allures all, and threatens all if it be withheld. But if the co-operation of the people be thus necessary to the execution of those laws, on which the stability and efficiency of the supreme state authority chiefly depend, it cannot be less necessary in either of those classes of laws, which more directly regard the welfare of the people, as between themselves, or, as between them and the public functionaries. In the first class of such laws, the principle, that the people are bound to interfere in aiding the administration of justice, (because, without such aid, justice is almost powerless,) appears expressed in characters, similar to, but less vigorous, than those already described. In the second class, it would argue but little knowledge of human nature, not to expect that this duty of the people will be enforced upon them with still less zeal and still fewer penalties. Adequate remedies, and a liberal permission to employ them, may be expected generally to characterize the structure of the laws regulating the rights, wrongs, and intercourse of the people among themselves, because the interests of the legislature, in these cases, coincide with the good of the people. The laws which arbitrate between the people and the public authorities, will, no doubt, often be found to hang the sword over the heads of the latter; but there are few whose arms are long enough to reach it. The sentiments of human nature, which induce men in power to enlarge and fortify their authority, cannot be expected to make them hasty in believing ill of their own instruments, over anxious to foster the jealousy of the people against them, or to invite its scrutiny into their conduct. If guilt be gross and manifest, sharp vengeance will probably be measured to the guilty; but, between the hue of gross convicted guilt and official purity, there are more shades of colour, than the winking eyes of power can always discern.

There are, and have been, many Associations for the purpose of detecting and prosecuting crimes and offences, committed by one part of the community either against the

state, or against the rest of the community: for instance, the Associations in 1793, the Bridge Street Society, the Association for the Suppression of Vice, the Mendicity Society, those for the Preservation of Game and Punishment of Poachers, for the Discovery and Prosecution of Thefts, Forgeries, Swindling, &c. They have rarely, if ever, been discountenanced, while they have frequently been encouraged by Government.

Without making any observations on the respective merit or demerit of those Societies, it is sufficient for the argument, that they have taken upon themselves the office of assisting Government in the administration of Justice, and that their assistance has been received. Prior to the Catholic Board in 1811, no Association seems to have been formed to detect and remedy the neglect and abuses of judicial power, through the medium of the law or the legislature. What prevented it? Not surely any apprehension that the legal remedies were nugatory, or not available; for if men doubted whether societies with ample means of seeking redress could succeed, individuals must have despaired, and the laws would have been mere mockery. It may be said, that the legal remedies were so accessible to private persons, and the abuses of authority so rare, and so limited in their effect, that no such powerful instrument was required. As it regards the exercise of *judicial* power in England, let this be admitted; then, because there is no such remedial institution there, either it is inferred that there is no mischief to call it forth; or, knowing by other means that there is no mischief, that fact is employed to account for there being no such institution. In each case, (always adverting to the fact, that similar institutions, as above named, for the correction of other public evils, actually exist,) a sufficient connexion is established between the evil and the remedy, to justify, without any illegitimate stretch of argument, the inference that the existence of such an institution in Ireland implies the existence of the mischief, either real or imaginary; but that it was not imaginary, has been already abundantly proved. It may be asked then, why did not the abuses of power, which in Ireland were formerly much greater than at present, produce this consequence sooner? Partly, because the wrongs of former times, though greater, were also of a different kind, and for which no legal remedies existed, and the pressure of greater evils diminishes our sensibility to the less; and partly, because in the homely language of the proverb, "Necessity is the mother of invention." Men resort first to the simplest modes of relief,

and finding them ineffectual, the anguish of pain suggests new devices, whose character will partake of the temper of the inventor. The ignorant will probably employ violence; the instructed, knowledge and reason. The one has often been tried in Ireland, the other only in late years. The failure of each separately, may perhaps, at last, unhappily tempt men to try what may be effected by their union. Another reason for the want of such institutions may be found in the temper of nearly all governments, inclining them, according to the extent of their power, to discountenance every measure that can tend, however remotely, to impede their own designs good or bad; for they apprehend the good may be baffled, and the bad may be detected. The latter is a just cause of fear, the former not; for in a nation where full liberty of discussion prevails, whatever is honestly designed and freely declared will obtain general support, unless there be error, and that will be corrected by discussion. To meddle with the conduct of men in power, seldom fails to displease them, and their displeasure rises in proportion to the acuteness and influence of the inquirer; hence, such institutions must be regarded with an instinctive antipathy, which the possessor easily confounds in his own mind with a regard for public good, and would persuade the world to confound it too. Many men in power desire to do good; whatever any man in existence has to do, that, he desires to do easily; the more easily good can be done, of course a greater quantity can be done in a given time; hence, any impediment that does not unquestionably arise from the nature of things, is regarded as vexatious; all those produced by moral agents appear capable of prevention; they are therefore called by the names of turbulence, faction, restlessness, discontent, &c.; the agents themselves, agitators, designing persons, demagogues; and the plain mode of removing or preventing such impediments is to give greater power to those in authority, less freedom (on these occasions called licence) to those in subjection, and all for the benefit of the latter. There is nothing unnatural, nor perhaps very criminal in all this, but much that is utterly pernicious; because, in proportion as men obtain their desires easily, their judgments become weak, their understandings indolent, and their tempers fretful; hence they mistake their own wishes and fancies for projects of undoubted utility; they evade the labour of thought or inquiry, slumbering in the conscious purity of their own motives; and, full of impatience at the mischievous presumption of those who would thwart, or even investigate the wisdom of their plans, they

burn with virtuous indignation against those corrupters and destroyers of human happiness, whom, it plainly appears, nothing but force can restrain, and over whom power should have no limits. Thus the lust of power supplants the native benevolence of men, the possession of power deludes their understanding, and, where circumstances permit, the extremity of this moral and intellectual corruption ending in pure despotism, they at length think, like the great prototype of ambition, that it is "better to reign in Hell, than serve in Heaven."

A specimen of the mode in which the mind is affected by the possession of unrestrained power, appears in the following passage from one of Tippoo Sultan's letters, in answer to a proposal made by one of his agents respecting some commercial plan: "It is comprehended. There is no regu-"lation issued by us, that does not cost us in the framing of "it, the deliberation of five hundred years. This being the "case, do you perform exactly what we order, neither ex-"ceeding our directions, nor suggesting any thing further "from yourself."

Having shewn, that in the laws framed peculiarly for the security and efficiency of Government itself, the principle of its dependence on the aid of the people for detecting crimes and carrying the law into effect, is acknowledged; having also shewn, that in the laws immediately relating to the intercourse of the people among themselves, the same aid is often required, and where not required expressly, is still freely accepted; and lastly, having shewn that, in the laws regulating the relations between the Magistrates and the people, there does not appear the same sedulous desire to protect the latter in practice against the delinquency of the former, and having in some measure explained the cause, it remains to examine whether, in this case also, the principle of calling in the aid of the people is not equally desirable and politic. In the two first cases, Government seeks aid to ascertain offences against itself and the community, committed by the people: to constitute one part of the people, guardians of the law, against its infraction by the other part. Now, whether Government be considered in its true character, as having its interests completely identified with that of the community, or, as having an interest on some occasions opposed to that of the people, there seems the same reason here, as in the former case, for permitting and inviting the people to scrutinize the abuses of power, and detect the corruption of justice. If the interest of Government be the same as that of the people, then, the reason of

the latter being bound by such imposing obligations and inducements to assist the former is, that they are assisting themselves; they are sustaining that, without which, the community itself could not subsist and prosper. But is not the purity of justice one of the greatest interests of the community? Can it prosper without it? The people are stimulated by conscience, by fear, by hope, and by interest, to watch, to disclose, and by disclosure to defeat, all treasons, plots, seditions, and frauds, designed or perpetrated against the governing body. Why? First, because on the security and legitimate power of that governing body, their own depends: secondly, because without such aid, Government alone could not provide effectually for its own and the nation's welfare. But the impartial distribution of justice is one of the qualities most essential to the welfare of the people, and therefore, by the supposition of an identity of interest, of the government also. It does not, however, appear, that the means Government possesses, are more effectual in discovering abuses in the administration of justice, than in other matters. This is indisputable: for abuse has been proved to have existed for a length of time; not surely with the knowledge of Government, for then it would have been a willing party to the injustice, and in that case, the people could have no hope of relief but in themselves. The Government then was ignorant of the abuse: doubtless that is true, but the people, whom the abuse, if it existed, must have oppressed, were not ignorant; neither would the Government have been ignorant, had it sought their assistance. It belongs to the very nature of such abuses, that they are first known to the people. Can any wise and honest Government possibly desire to remain ignorant of them? "*Fas est et ab hoste doceri.*" Is it not true also of our friends and countrymen? The facility with which Government can thus obtain the earliest knowledge of abuses, is another of the practical advantages resulting from the full, unshackled expression of public feeling and opinion,—advantages that present themselves in almost every view the mind can take of civil policy.

In the class of laws relating to the intercourse of the people among themselves, their aid is demanded on similar principles; for without it, the efforts of Government would be ineffectual in detecting the offences those laws are designed to prevent or punish; and because every crime is injurious to the common good, as well as to some individual. But the nation has a higher interest in the pure administration of justice than in the detection of such crimes, because, in

fact it includes that detection; and on the other hand, a corruption of justice, besides its own peculiar evils, is sure to stimulate and produce such crimes. Neither, as already has been shewn, is there less difficulty in discovering the abuses of judicial power. If it be said that the interests of the Government and the people are opposed, though it is an unsound doctrine, it will not serve that equally unsound one, which tends to exclude the people from investigating the ways of judicial authority. Can it be expected that the people should lend their aid to serve the cause of Government, and not be permitted to serve their own? Or, that being allowed and encouraged to protect themselves and the general interest in cases of libel, poaching, theft, and other crimes, that they will either comprehend or submit to a prohibition from doing the same, in the more pernicious crime of a corruption of justice? Do they, under the supposition of opposing interests, owe a more sacred duty to Government than to themselves? Should the securities for greater, be inferior to those for less interests?

It appears then, that the function of Government which consists in the administration of justice, is not of an exclusive nature, and that it neither is, nor can be, confined to their hands alone. The laws regulating the duties of the people to one another, are, in many respects, dependent on the people for their due administration; peculiar provisions being established by those very laws, for the purpose of enforcing such co-operation. In each case the good of the community is the declared object. In the pure administration of justice that good is as essentially involved; yet in the laws regulating the duties of the judicial body to the people, the co-operation of the latter is not equally enforced; and though on sound principles, this last class of laws would appear to require similar securities for pure administration, yet so little has been done in this respect, that it is difficult not to suspect that the general policy of Government, has been rather to punish offences against power, than offences committed by power. That such offences may be safely left to the jealousy of the people, will be insisted on. This jealously may be a security against the abuse of power, where public opinion has great weight, and is directed towards political matters. Public opinion, however, can be called forth, only by a general knowledge of men's rights, frequent discussion and interchange of sentiment among large classes of people, and above all by a free and widely circulated press. Where these are ill understood, or deficient, though a mul-

titude of individuals should be severely oppressed by the abuses of authority, yet a long period may elapse before the causes of the evil can be discovered, exposed, and remedied by the sufferers themselves. Oppression will always at last generate public opinion, but it will be of a dangerous character and aspect. The Association, however, has been censured, merely for giving efficacy to this jealousy of the people; for trying to collect and exhibit this public opinion; for taking means to render the only defence they possess, a valid one.

If any of the laws now under consideration, declare the right and enforce the duty of the people to aid in their due execution, then the principle contended for is admitted, and there seems no good reason for not extending it to the whole system. If the principle be recognized in no part of the system, then the propriety of its exclusion remains to be proved; and it should be shewn, that this exclusion has not proceeded from the criminal jealousy of men in power, but from certain knowledge that its admission would be a greater evil,—that self-interest has not been mistaken for legislative truth. The difficulties in the way of such proof, seem however insuperable. The analogy between this, and the two other classes of laws, must be destroyed, as far as relates to the security for their proper execution. It must be proved that Government can alone procure the earliest and most accurate information of abuses, for the knowledge of evil cannot be too soon or too accurately obtained. But it has been already shewn, that the people must necessarily know the evil sooner than Government. It must next be proved, that Government has as strong a desire to check the abuses of its own instruments, as it has to punish offences against its own power—a proposition at variance with the general principles of human nature, and of which the falsehood is evident; because, were the desire in each case equal, it would suggest similar measures; but the people are invited to assist in the execution of the one class of laws, and excluded from meddling with that of the other.

Lastly, the interest the people have in the subject matter of the two former classes of laws, creates in them a right and a duty to aid in their due execution. Their interest in the due administration of justice, is at least of equal value, and must create a similar right and duty, if there be any thing analogous in the two cases. This can be met, only by saying, that they may have an abstract right, but that its exercise would practically impede and corrupt the administration of justice. The arguments of the speakers appear founded

upon this objection, but they do not appear to have brought forward any evil results, which may not with equal plausibility be inferred from the exercise of the right and duty in the other cases. Before those arguments are considered, it is desirable to draw the reader's attention to the strong presumption, that the Association did not exercise its power in such a manner as to preclude Government from exercising a similar function: that it did not violate the just subordination of powers. This presumption is involved in the foregoing argument, the object of which has been to prove, that the people have an interest in the due execution of every class of laws; and that they have means of aiding that due execution which Government does not possess. According to the division of the laws assumed for this view of the subject, in the two first classes, those positions are unequivocally recognized by the constitution, and there seems no sound reason for denying the propriety of extending them to the third class. The Association acted upon this analogy. Unless it be proved that none such exists, a strong presumption arises, that, in pursuing a constitutional analogy, the Association could not have impeded the due exercise of any function of Government.

So many vague forms of expression, such large and indefinite denunciations of the various mischiefs created, or necessarily resulting from the interference with justice, have been employed, that it becomes difficult to reduce those mischiefs to a definite statement; and to give the passages at full length, would needlessly extend this work. It would be unfair to dwell on particular words or expressions, unless the general context afforded a strong ground for believing that they are accurately reported. The scope of the different speakers' views, has therefore been sought for, and arranged under the heads of overawing and perplexing the judicial body; polluting the sources of justice; and making the courts an arena for harsh disputation and angry feelings, —for the display and contest of party animosities.

The dangers contained under the first head are to be found chiefly in Mr. Goulburn's speech, where they are announced in very ample terms, but seem to amount only to this, that many useful Magistrates would, and that some had retired from the Bench, being disgusted with the conduct of the agents of the Association, and perplexed by the subtlety and intricacy of their arguments.

To drive from the Bench men qualified for the performance of magisterial duties, is certainly an evil, if considered in this

abstract form, and if it be also admitted that persons, who could be scared from a public duty by their fears of such vexations as the Association could inflict, are in every respect qualified for the office of Magistrate, in such a disturbed and agitated country as Ireland. To a conscientious person, the exercise of judicial power must always be a painful and difficult task; it requires caution, acuteness, knowledge, patience, and courage. It may, however, be doubted, whether persons whose delicacy, timidity, or retiring dispositions were alarmed and offended at coming in contact with the legal agents of the Association, were really such a loss to the Bench as they are described to have been. The extent of the mischief depends upon the number and individual characters of the Magistrates thus driven from office; it clearly cannot exceed that limit. But the indirect benefits, resulting from the same measures of the Association, cannot be ascertained by any means, though a strong presumption exists that such benefits must have accrued. When the Association excited the alarm of some, it must also have excited the attention of all. As no man could fortell to which tribunal an appeal would be made, it became matter of prudence in all to prepare themselves generally in point of knowledge, and to act with great circumspection in administering justice, lest they might incur the animadversion of that jealous body. Publicity has always been deemed a great security for pure judicial conduct. The measure of holding petty sessions is founded on that doctrine, and the animadversion of the Association, whether just or unjust, certainly had the effect of directing an increased degree of public attention to the general administration of justice. That the subtleness and intricacy of legal arguments may have been perplexing, admits of no dispute. The nature of men's rights is so often perplexing, that were judges to be deterred by such difficulties, or by the greater perplexities of legal disquisition, the judicial power would be destroyed altogether. The affairs of mankind are full of intricacy and subtlety; the laws by which those affairs are regulated partake of these qualities, and often in excess; therefore, there can be no way of excluding refined and subtle arguments, except excluding the occasions for them, and limiting the jurisdiction of Magistrates to the simplest cases; but it is impossible to declare beforehand what are the simplest cases, or to arrange rights and offences under any such head. Those, whom the apprehension of these difficulties induced to retire from the Bench, cannot therefore have taken a just view of their

official duties; and there can be little reason to regard their secession as a public loss, however estimable their private characters may have been.*

There are several passages in Mr. Plunkett's speech that appear to refer to the same mischief, but their weight is not in proportion to their eloquence.

"The prosecutor from the Association comes down vested with extraordinary powers; with all the delegated authority of six millions; he prosecutes in the name of the people of Ireland. What prisoner can stand unabashed, or not tremble before such a fearful tribunal? How can he have any hopes when the grand interests† of the people are his accusers, and when he is to be prosecuted by the majesty of six millions? In such cases the juries and public will yield to the special lawyers, or they will array themselves against them; and it is of little consequence which of these takes place; the evil effects are equal; and I know not which of them is more to be regretted—either is most deplorable."

Upon a close examination of this passage, the mischief it announces will be found to amount to this, that the members of the tribunal will be in danger of deciding rather from the impulse of their party feelings, than according to the evidence. Does not that danger exist at present, in a country where parties and factions are in a state of bitter hostility? The influence of those party passions on the tribunals of justice, is one of the very grievances of which the Catholics complained, and is the ground on which they justified their interference, because it operated in favour of one side only. It will perhaps be asked, "Did they then hope to correct the evil by infusing more of this party spirit?" The answer is, They hoped to excite public attention and direct it towards the conduct of the tribunals, believing, that in the keen encounter of party feelings, employing the law as a weapon and before the nation as spectators, substantial justice would be done. If they were wrong in this opinion, under what circumstances is justice to be expected, in a country divided by factions? It is a mistake to speak of the people of Ireland as being the *tribunal;* they have just been stated to be the *prosecutors:* the tribunal is the ordinary one appointed by the law. If "the grand interests of the people," and "the majesty of six millions," (all concentrated in the person of the special counsel,) are likely so to influence the juries, and so abash the prisoner, that justice will not be done, for that is the danger, what a history of iniquity must

* Whoever heard of a well-paid stipendiary Magistrate retiring from the Bench in disgust at the perplexing subtleties of lawyers?

† "Inquest" seems to have been the term used.

the records of the criminal proceedings of the three kingdoms contain! What a wide basis have the laws laid for the corruption of future juries and the despair of future prisoners! The doctrine is then broadly recognized, that the dignity and power of the prosecutor must influence the tribunals. Where is the prisoner, whom the Bank prosecutes for forgery, the Government, for frauds upon the Revenue, or for blasphemous and seditious libels, to look for justice? What hope is there for him, against whom the House of Commons orders a prosecution? He who commits a contempt of Courts of Justice, or violates the privileges of Parliament, must then despair; for, in the persons of his powerful prosecutors he beholds also his judges, whom he dares not challenge, and from whose sentence he cannot appeal. In the crimes of rebellion and treason, does not the majesty of a king, sustained by the feelings, the interests, and the majesty of twenty millions, appear against the prisoner? Can he stand unabashed before such prosecutors? Is the tribunal on which his fate depends, so lofty in its station, so confident in its strength, so firm in its integrity, so mature in its wisdom, as neither to be awed by the dignity, nor alarmed by the power, nor seduced by the influence, nor deluded by the solemnity of such an accusing body? Alas! it consists of twelve men taken at hazard from the ordinary ranks of life, without station, power, worth, or intellect to distinguish them above their fellows, and not even wholly disinterested, unless they "stand indifferent" to the just authority and the life of their sovereign, and to the welfare of their nation. They have a counteracting interest, it will be said, to maintain the purity of justice, lest injustice should hereafter become their own portion. True:—and so had the juries to whom the Association appealed.

Whether the public and the juries yielded to, or arrayed themselves against, the special counsel, equal evil, it is said, would result. Either would be most deplorable. Surely not. If the prisoner were guilty and convicted, or innocent and acquitted, whether the juries and public yielded to, or opposed the special lawyers, justice would be done; and the evil would not be equal to that of convicting an innocent, or acquitting a guilty person. Passion and prejudice are unsafe guides, but still, it is better they should lead to truth than to falsehood. In the curious instances, stated by Mr. Goulburn, of the mischievous interference of the Association, it must be presumed that the jury and the Magistrates opposed the special lawyers for the prosecution, since both prisoners were fully acquitted. Was this result as much to be de-

plored, as if they had yielded to the special lawyers, and convicted the innocent men?

The mischiefs of polluting the sources of Justice, are urged principally in the speech of Mr. Peel, who adopts the arguments used by various Opposition members against the "Constitutional Association,"* and directs them against the Catholic Association. One argument is, that it contravenes the laws against maintenance. If these arose, as it is said, from jealousy lest the law should be made an instrument of oppression, it is plain that could not happen, unless the law were defectively constructed or feebly administered. The evil was probably in the administration, because, whatever injustice might result from an ill-constructed law, it would, if equally administered, have affected all parties alike, whether poor or rich, few or numerous, and no man more than another could make the law an instrument of oppression. But, if feebly or corruptly administered, it was the rich and powerful, not the poor and weak, who could pervert and silence it, and it would therefore seem, that the laws against maintenance were originally intended to prevent great men taking up the suits of inferior persons, and by force or influence controlling the tribunals of justice. Their policy seems to have been, to remove, from the retainers of those persons, the temptations to commit offences supplied by the hope that their lords would protect them from punishment; and to take, from those lords themselves, every facility of setting up the pretence of a just claim, when their real object was one of gross oppression and iniquity; for so indestructible is the sense of justice, that the most flagitious tyrants, in their worst designs and acts, always gladly seize any wretched pretext that affords a semblance of a just claim. The wolf would not kill the lamb without a pretext, and in this sense, "Cæsar did never wrong, but with just cause." Upon this sentiment, which makes even those men dread the imputation of injustice, who never dread the commission of it, the policy of these laws seems partly founded, endeavouring to take from the oppressor even the pretext of justice, and to compel him to exhibit the deformity of his designs without disguise. They were, in fact, devices for preventing suits which the Courts could not determine impartially—for avoiding a doubtful strife with a powerful and tyrannous nobility, who, as a legislative body, would have disclaimed those per-

* This appellation is employed, partly to avoid incurring the charge of want of courtesy, and partly because it affords a proof, that in the opinions of all the eminent persons who subscribed to it, an Association for the purpose of interfering with the administration of Justice, was *not unconstitutional.*

versions of justice which as feudal barons they practised. But, when the law had acquired such authority, that none dared attempt to overawe its tribunals, when all suitors became of equal importance in its estimation, these devices became unnecessary. Public justice, which appears formerly to have been feeble, being now supreme, esteeming all suitors equally, and deciding upon the merits of the cause alone, regardless of the parties, there can be no good reason for prohibiting the powerful and the rich, from assisting the poor and the weak to bring their cause before its tribunal.* Accordingly, the law against maintenance has fallen into disuse, and justly so, in the opinion of Chief Justice Mansfield: "Hence arose all the law of maintenance, which if strictly adhered to, one does not see how a poor man could at this day possibly recover a right."†

The next arguments are borrowed from Mr. Denman, and state, that

"The great objection to the Constitutional and all similar Associations was, that they could not exist without becoming a seminary for spies and informers. The case of the soldier which had just been alluded to by his Honourable Friend, who had been proved innocent, not by the verdict of a jury, but by the unanimous decision of a bench of forty-three Magistrates, differing widely in religious and political sentiments, proved beyond dispute that the proceedings of the Catholic Association had given rise to an innumerable swarm of spies and informers. That soldier had nearly fallen a victim to the artifices of such miscreants; and thus experience proved, that when the Associations were formed of such a nature as that whose demerits they were now considering, the prediction of the Common Sergeant must instantly be realised.—The learned gentleman then went on to say, that as to the formation of a counter association, nothing could be more injurious to the administration of public justice, than for two parties to be constantly running a race with each other, endeavouring to pour their several friends into the jury box, and thus to gain a triumph over the law. Now if the Catholics of Ireland were subscribers to the Catholic Association, and if other associations were to be formed to counteract its proceedings, there would undoubtedly be a constant endeavour in both parties to pour into the jury box their several friends, and thus to obtain over the law that triumph which the Common Sergeant had so clearly predicted."‡

* In fact, assisting a person, from charity, to prosecute his suit, is one of the exceptions to the laws against maintenance.

† Taunton's Reports, Vol. I. p. 613. Had Mr. Peel examined the extent to which the chicanery of lawyers, and the subtileness of judges, have carried the doctrines of those laws, it is probable he would have felt too much disgust at their narrow policy and mischievous tendency, ever to have spoken of their infraction as a serious offence. See also Mr. Justice Buller's remarks upon this subject, in Master v. Miller, 4 Term. Rep. p. 340.

‡ Freeman's Journal. The reports in the Courier and New Times are

Spies and informers are undoubtedly an evil, but can they be dispensed with entirely? There is a class of informers, (for whom a less obnoxious name should be invented,) who are moved neither by malice nor avarice, who dislike the trouble, and who hate the office, but whom a deep and earnest sense of duty to their countrymen and fellow-creatures impels to the exposure of crimes and injustice, which have accidently become known to them, or which, without using deceit or treachery, or in any degree stooping from the dignity of honest men, they have silently watched. Whether the Laws, the Government, or the Association called forth such persons, little danger to the peace of society, or the purity of justice, could be apprehended.

The kind of spies and informers that are really hateful, are those whom malice, revenge, or the desire of profit, call into action, and they will abound in proportion to the opportunities that are offered for indulging those passions. The two first motives, however, are controlled in practice, by a powerful check arising from the nature of men, who are generally too slothful to follow up their enmities, through the trouble of proving that the peculiar object of hatred has also been guilty of a public offence, and the danger of being detected and punished for a false accusation. Neither the Laws, the Government, the Catholic Association, nor any other body honestly seeking for information, can effectually guard against this evil; and happily, from its nature, it is one that cannot prevail extensively. But, as its prevalence will depend upon the number of occasions afforded for its activity, the Laws and the Government, which seek information on a multitude of subjects, must necessarily, though innocently, supply infinitely more such occasions than the Association, which confined its inquiries to a few objects. The great motive is the love of gain; but as the gratification of that passion requires large funds, it is plain, that the Association could never have called into action a number of spies, bearing any proportion whatever to what the Laws and the Government are daily encouraging. The funds of the Association could never have supplied means for the payment of all who would be willing to receive it, even had it been disposed to make such a foolish use of those funds. In fact, it does not appear to have been ever accused of directly hiring spies or informers. It offered no public reward for

in substance the same as the above extract, but not so full. If the speech be correctly reported, the language is rather inaccurate, which states, that a man who was "*unanimously acquitted* by forty-three magistrates" had "*nearly fallen a victim.*"

the disclosure or conviction of offences. Whatever, therefore, may be the necessity for those hateful instruments, their encouragement by the Laws, and the use of them by the Government, even with the best intentions, have called forth the evil, in a degree far beyond what the Association, even with the worst designs, could by possibility have accomplished.

The danger of each party trying to crowd the jury box with their own friends, is the next mischief stated. That this is practicable, is the defect of the law; that it is practised already by one party, is the complaint of the other; and if there were no means of correcting the evil on either side, the attempt to limit its increase, by suppressing the Association, might deserve more consideration. It is an evil of bad regulation, the remedy for which seems as well known to Mr. Peel, as it is fortunate for the nation and honorable to him that, with this knowledge, he unites the will and the power of applying that and similar remedies to the defects of our jurisprudence.

Mr. Brougham's arguments against the Constitutional Association are next adverted to, and triumphantly applied to the Catholic Association, though a material error appears to pervade the whole of that application. At the outset, Mr. Peel states, that "the two Associations are very different." This declaration naturally induces a suspicion, that the arguments employed against the one, were therefore not applicable to the other, and this suspicion is confirmed by an examination of them. After drawing a contrast between what the Constitutional Association would or would not have done, and what the Catholic Association did, in certain circumstances, (which passage is not cited, being merely assertion,) he proceeds to say,

"Yet all this had been done under the influence of the Catholic Association; so that there was the widest distinction between the two societies, the one limiting its prosecutions to the case of blasphemous and seditious libels, and the other extending them to the highest offences known to the law,—the neglect of Magistrates to perform their duties, and the commission of crimes as atrocious as murder. The honourable and learned member for Winchelsea, said, 'That in his opinion a man might with perfect consistency approve of the other societies alluded to incidentally, and yet disapprove of that under the notice of the House; as the distinction between them was as clear as possible. Some offences were, and ought to be prosecuted, though many a man would feel a repugnance at having his name mentioned in the same line with such an offence, even as its prosecutor. The argument drawn from the societies to prosecute for theft, could not apply to the present Association. How was it possible that a man's feelings could

be so arrested in the case of a theft, as they would be upon a question purely political? Party feeling would interfere, and even the jury become contaminated with it, by the encouragement of such a society as this. The remedy proposed would be an aggravation of the mischief; for, as had been well observed, it would lead to the pollution of the very fountain of justice.' "

Mr. Brougham's view appears to be, that the societies to prosecute for thefts were widely different from the Constitutional Association, and therefore, he very consistently argues that the objections to the one were not applicable to the other. The difference appears to be, that thefts and similar crimes are definite in their nature, they also produce immediate evil to some individual, and all men are agreed on the propriety of prosecuting them; but, that blasphemous and seditious libels are indefinite, do not immediately affect any individual—their evil, where there is any, is purely political, and men are by no means agreed about the propriety of prosecuting them at all. A wide difference between the Constitutional Association and the Catholic, is in like manner declared by Mr. Peel; yet he endeavours, rather inconsistently, to apply Mr. Brougham's arguments to both. The difference he points out to be, "The one limiting its pro-"secutions to the case of blasphemous and seditious libels, "and the other extending them to the highest offences "known to the law, the neglect of Magistrates to perform "their duties, and the commission of crimes as atrocious as "murder." It is obvious these last offences have exactly the character above stated; they are definite in their nature, they produce immediate evil to some individual, and all men are agreed upon the propriety of prosecuting them. This admitted difference, therefore, exactly establishes Mr. Brougham's consistency in condemning the Constitutional Association, while he refused to condemn the Catholic Association, or those intended to prosecute for thefts. That Mr. Peel has committed an error, is still farther proved by the very words he employs when he comes to make the application; for the effect of those words is to establish a *resemblance*, instead of a *difference*, between the two Associations. "The learned gentleman had in these words "*expressly described the case of the Catholic Association.* It "prosecuted for offences which in their nature were purely "political, and by so doing tainted the administration of "public justice. They took upon themselves legal function, "they sent agents into the country to prosecute for political "offences, and from that moment they tainted the adminis-

"tration of justice." He has not distinguished the feeling which suggested the prosecution, and which he assumes must be political, from the nature of the crime itself, which certainly is not political. By whatever degree of political feeling the Catholic Association may have been actuated, the difference between it and the Constitutional Association was clearly laid down by Sir Francis Burdett: "They (the Catholic Association) take cognizance of no crimes which admit of no definition." Admitting that the feeling which prompted its prosecutions was purely political, it by no means follows that "the administration of justice would be tainted." That assertion rests upon the erroneous assumption of political sentiments being always paramount to every other, and being generally mischievous. It is morally impossible to exclude political feelings from the breasts of the jury, who try political offences. Offences purely political, and also such as are of a mixed nature, that is, merely civil in their immediate effects, political in their remote, are of continual recurrence. In those offences which would appear to have no political relation, such as cases of private assaults, seduction, &c., it is the usual practice of advocates to appeal to the jurors, not only for ample redress to the injured party, but as guardians of public morals, (which are a branch of the political system,) for such vindictive damages as may deter future offenders, and help to establish in the public mind a sense of the the iniquity of the offence. If upon subjects purely political, or of this mixed nature, it is the duty of the jury to attend to political consequences, how, as a general proposition, can political feelings be said to taint justice? It is not in the total exclusion of any class of human feelings, but in the due regulation of all, that a firm and enduring basis of justice can be laid. This attempt to repress or exclude classes of human feelings and interests, is part of the weak policy of English law; it has generally failed to do good, and has done much evil, because the course of nature cannot be stopped, though it may be regulated and directed. No power can permanently outlaw Nature.

A pure and vigorous administration of Justice by the public functionaries, is beyond all question best, but when that cannot be obtained, and where political feelings, on both sides, lead to the perpetration of the worst crimes, surely they deserve approbation, rather than censure, who appeal to the law for redress. Such a proceeding recognizes the supremacy of law; and, while it holds out the hope of redress and points to the true path for obtaining it, gives the injured

person a strong motive for abstaining from private vengeance, "which is mad, and only adds guilt to misfortune."*

No person at all acquainted with Ireland, can believe that the peasantry could be quickly or easily induced to place as much confidence in the declarations or protecting measures of the best-intentioned government, as in those of the Association. The great object was to reconcile the people to the law as their protector; for till that was done, they would continue to be, not their own protectors, but avengers; and it was a jealous and shallow policy which would retard that reconciliation, rather than receive it from the hands of such a mediator.

It will be proper to examine at some length, the argument that every subscriber to the rent, has by that act disqualified himself from sitting on a jury, because its apparent, very much exceeds its real value. After stating that Mr. Sheriff Garratt, having once subscribed to the Constitutional Association, but subsequently withdrawn his name, the Court nevertheless held, "that he was disqualified from performing the duty of returning the jury," and that he could not be admitted as a witness because he was unindifferent; Mr. Peel proceeds to say,

"Now apply this rule to the Catholic Association. Was not every Catholic who had subscribed even one farthing to this Association disqualified, on account of his unindifferency, from sitting as a juror on any prosecution which it might institute? Was not the very fact of his subscription a proof of his unindifferency? They had been told that evening, that every peasant in Ireland was a member of the Catholic Association. If this were so, was not justice likely to be tainted in its administration, when nearly every person who was qualified to sit upon a common jury, was disqualified by his own act? Parliament had recently enabled them to act as jurors and grand jurors; and yet here was an act of their own body, which set them aside as jurors, if they had subscribed one farthing to the Catholic Rent. Suppose that an offence which involved a party question, and excited party animosity, came on for trial, in what a situation would the Court be placed! How could a panel be formed of parties perfectly indifferent?"

With respect to the doctrine of interest disqualifying, whatever may be its merits as an abstract legal rule, the law certainly does not and cannot adhere to it uniformly. In confirmation of this assertion, it will be sufficient to mention a few cases, in which interest does not disqualify, either as a judge or witness. When Parliamentary privileges have been violated, or contempts of Court committed, the offended, and therefore interested, parties are the judges. In the very House of Commons where this jealousy about the purity of jurors was received with applause, Members were allowed to

* Marmontel.

sit and vote upon private Committees, notwithstanding they had direct personal and pecuniary interests in the success or failure of the measures brought before those Committees. Even as to voting in the House itself, the rule stated by the Speaker was, "that only parties were disqualified who had "an interest in *favour* of a particular measure; *not those who* "*had an adverse interest.*"*

Justices are, by statute, enabled to act in matters relating to parochial rates for the poor and highways, notwithstanding they are rated within the parish.† Also in boroughs having more than six justices, and a certain described extent of jurisdiction, the justices may hear and determine appeals under the poor laws, though they are rateable and rated, and consequently have an interest. ‡ The interest of a defendant in equity does not incapacitate him as a witness; both Plaintiff and Defendant may be examined on personal interrogatories, and may give evidence in its worst form, that of affidavit. At common law, interested parties are often allowed to make affidavit of facts necessary for further proceedings. In many of the lower jurisdictions, the plaintiff is allowed not only to give evidence, but is frequently the only witness. The prosecutor's expenses are generally paid by himself in England, yet he is a competent witness; he is also commonly the aggrieved person in fact, though not in contemplation of law.

In several cases also, the informer, who is entitled to a share of the penalty, is a competent witness.

In the case of jurors, the doctrine of interest disqualifying, (the term here, as in the former cases, being used to denote not merely pecuniary advantages, but all motives which may disturb the impartiality of the juror,) is more comprehensive, and more rigidly enforced. The extent of the doctrine is well expressed by the legal terms, that the juror "must stand indifferent as he stands unsworn." A state of absolute indifference upon all occasions is plainly impossible, while human beings possess sympathy with their fellow-creatures, prejudices, or settled opinions. The causes of unindifferency are indefinitely numerous, and the law therefore leaves the greater part of them to be considered when the occasion arises. It is undeniable, that indirect interests will often have greater weight than those which are direct, but it is so difficult to estimate their operation on different minds, that the law is often forced to neglect them altogether. The

* See Parliamentary History and Review for 1825, Titles, "Interested Votes," and "Private Committees," pp. 590 to 597; also p. 804.

† See Nolan's Poor Laws, Vol. I. p. 252.

‡ See King *v.* the Justices of Essex, 5 M. and S. p. 513.

cases in which jurors act, whom the terms of the law would disqualify as not indifferent, are probably considerable, because it must often happen that no suspicion of their impartiality is entertained: this is certainly a matter of conjecture, but the causes of challenge being very numerous, and the cases in which the right is exercised few, in comparison with the number of actual jurors, a strong presumption arises that many such jurors must fall within the legal rule of disqualification; for instance, in the case of frauds or forgeries on the National Banks, the holders of the stock of those companies could hardly be considered indifferent, yet it is probable that such persons have occasionally been jurors on trials for those offences. But, besides all those cases in which the juror's unindifferency must escape the vigilance of the law and the parties, there are many others in which the law does not consider that to render a juror unindifferent, which every man of common sense knows must have that effect. Country gentlemen and their immediate dependents are not disqualified from trying poachers; merchants and tradesmen from trying smugglers; members of any one trade or profession, from determining questions between their fellow-tradesmen and customers; subordinate and dependent agents of Government, from acting as jurors in trials for treason, public libel, or sedition;* members of any particular religious or political party, from sitting in judgment on those of any other, however hostile the two sects may be. Lastly, in actions between private persons, is the principle of perfect indifference rigidly applied by the law, when it chooses rather to select the jurors from the place in which the cause of action has arisen, and from among the neighbours of the parties, than trust it to a judge who knows nothing of either party, and with whom no previous or subsequent intercourse can be maintained? On many of these occasions, the juror's interests are much more deeply involved, and his impartiality more lia-

* From persons of this class, special jurors have been frequently and improperly chosen, according to the statement made by Lord Erskine in a speech in the House of Lords on the 4th March, 1811, on the subject of ex-officio informations. "Yet they (the accused persons) not only have not analogous protection, but they are exposed to greater dangers than in cases of ordinary crimes, *by the abuse of special juries.* He did not mean to complain of the institution, but of want of proper regulation. He had long had the greatest respect for many gentlemen who served upon them, but the most honest men were not equally fit for all trusts. *They were often deeply connected with government; engaged in the collection of the revenue; and Magistrates in every county in the kingdom.* The list was not returned by the Sheriff, but was made up by the Master in the office of the King's Bench." See Edinburgh Review, Vol. XVIII. p. 103.

ble to be biassed, than in some of those circumstances which the law regards as conclusive disqualifications. The inference from all this, however, is not that justice cannot be done, but, that interest is a rational cause for disqualification, only where there is a strong presumption that it will outweigh the sense of justice, and the various other motives in the juror's breast, that impel him to discharge his duty conscientiously. A great deal must be left to the conscience and honesty of mankind: this, in spite of the universality of its principles, the law finds inevitable. Its occasional endeavours to descend into the hearts of men, and guide them in matters of private feeling and judgment, are commonly ineffectual; but where not so, they repress much good and confound what remains; hence it is often compelled to choose between injustice and inconsistency in its proceedings; while its professors attempt, by some refined piece of casuistry, to reconcile and identify the abstract principle with a palpable deviation from it—an attempt in which (like mixing oil and water) they are successful in concealing the diversity, only by maintaining the confusion.

The above cases, and some others that might be mentioned, shew that the legal rule is not inflexible, and that the mere fact, of having some possible bias or interest in the matter at issue, is not necessarily a disqualification. The merits or demerits of these cases of exception are wholly immaterial, nor have they been alluded to with any reference to that question, but for the purpose of repelling an argument which rests on nothing but a bare abstract principle of law, whose universal application is absolutely unattainable, and which the law itself practically disregards, in many respects; in more perhaps than is always judicious. This is no denial of the propriety of referring to general principles, but, of arguing upon any one of them as a truth of universal extent and application, without regard to the modifications and limits imposed upon it by the habits, feelings, and daily practices of mankind. General principles are the very bones and ligaments of science, but as well might the great and noble functions of a perfect man be expected from the dry, unsightly skeleton on which his outward frame is fashioned, as the graceful forms, the free and healthy movements of civilized society, from an universal and rigid adherence to a few general principles.

Mr. Peel's argument assumes, in the first place, that subscription to the rent implies an approval of every specific act of the Association; in other words, that the subscriber, when he pays his money, also surrenders his conscience

and judgment respecting all future and unknown events to the Association; since there is as much reason for supposing him pledged to every one of its acts, as to the particular case of its prosecutions. The mere statement of this proposition seems sufficient to expose the error contained in it. The next assumption is, that the money subscribed was solely for the purpose of interfering with the administration of justice. But that such was not the sole, nor even the principal purpose, is declared by the Association, and repeated by Mr. Peel, when he enumerates the various other purposes for which money was collected, viz., "Five thou-"sand pounds to be employed in controlling and enlighten-"ing the public press of England. Another five thousand—"and they were very liberal in their votes—was to be ap-"plied to the preparing petitions to Parliament." "Then "part of it was to be expended in keeping an agent in En-"gland. Another five thousand in sending Priests to North "America, and another five thousand for the conversion of "their haughty and heretical neighbours in England." If rent were paid with a view to advancing any one or all of the above objects, how can it be contended that the subscriber was thereby disqualified from acting as an impartial judge or juror, or being a competent and honest witness in cases not relating to any of those objects? Where the subscriber really desired his money should be used in support of what he considered a pure administration of justice, it is obvious his impartiality could be affected only in those cases in which the Association was a party; and the mischief would be limited to the amount of those cases, which could not be great. It is contended by the opponents of the Association, that the general administration of justice is pure and effectual; therefore *not one case* really deserving prosecution would be *wilfully neglected*, and *very few omitted*, by the public functionaries. To call the attention of the law to the latter cases would be useful to Government, and against no other cases would the Association direct their efforts, unless they absolutely invented fictitious cases, and employed their time, labour, and money, in trying to accomplish what, in all human probability, could not be accomplished. There is so much folly in such a design, so much odium and risk in its execution, that it is scarcely possible any rational person could suspect them of acting on that system; and it is quite impossible that they could carry it on to any great extent, because they must appeal to the law, which we are told is pure and efficient, and would therefore invariably expose and punish such wicked and false accusations.

The great fallacy of the argument consists in regarding the fact of subscription to the rent as the *cause* of the unindifferency, instead of being merely the *sign*. The cause is a previous bias in the mind of the subscriber, in favour of the Association and its measures; that bias induced him to subscribe, and that subscription is merely the outward sign of the previous internal sentiment,—"the very *fact* of his subscription was a proof of his unindifferency." Every person then, who entertained these sentiments, was already disqualified, and the effect of forbidding further subscription, would be to deprive parties of that "proof of his unindifferency"—of a just cause of challenge; to leave the juror's mind in the same biassed and disqualifying condition, and take from the parties the only means by which they could ascertain that fact.

In the course of the debate, it was repeatedly intimated that many persons had been unwilling or forced contributors; if this were so, the sources of justice could not have been tainted by them.

Another charge against the Association was so effectually refuted by Mr. Hobhouse, on principles similar to those adopted in this work, that it is necessary merely to transcribe his argument:

"The honourable and learned gentleman opposite, had said a great deal with respect to the effect of the Catholic Association in interfering with judicial proceedings, and prejudging the case of individuals who might be prosecuted by its influence. The most erroneous notions prevailed, however, with respect to what was called prejudging the case of individuals. What was the constant practice of Parliament? In the case of the Manchester riots, were not the character and conduct of Mr. Hunt canvassed again and again in the most inflammatory discussions, months before he was brought to trial? In cases of libel, where a criminal information was filed, was not the opinion of four judges, that the writing in question was a libel, published in all the newspapers, and could it be doubted that that opinion frequently had a great effect upon the jury when the individual was brought to trial? The Coroner's inquest, the finding of a bill by the grand jury, the ordering of a prosecution by that House—all these proceedings were, to a certain degree, pre-judgments."*

The accusation of making courts of justice an arena for harsh disputation and angry feelings, admits of but few remarks. Are courts of justice often otherwise? It is seldom found that those who enter them leave the bitterness of their animosities at the threshold. This will perhaps be

* Freeman's Journal, February 22, 1825. This speech was made on 18th February, on Mr. Brougham's motion that Counsel and Witnesses for the Association should be heard at the Bar of the House.

granted, but it will be replied, that there can be no reason for exasperating that bitterness, by mingling political rancour with private calamities and crimes. The value of that argument depends upon this consideration; whether those private calamities and crimes have or have not originated in the rancour of political hostility. That fact can be determined only by an examination of each particular case, an examination that does not come within the design of this work, even were the cases all known.

It does not seem possible to devest the parties of those political feelings which originally caused the abuse or outrage. The Courts cannot be open to complaints and wrongs, but closed against the passions that prompted them, or those they have engendered: by denying the combat under the laws and in the lists of justice, they may obtain a sickly repose, but will not terminate the strife of those passions, whose character of angry litigation will be exchanged for one of fraud, licentiousness, and hardening cruelty. When crimes have been committed under the influence of religious or political animosity, the injured person must be admitted to the Courts of justice, and though it were possible to devest his mind of all feelings, except the desire of obtaining mere justice, how can that of the aggressor be purified? Can it be expected, that the man whose passions have urged him to criminal deeds, will relinquish those passions on his defence: that, the original motive to crime being political, the legal pursuit and defence of it should not partake of the same nature? The most the judicial power can hope to accomplish, is to restrain those passions from breaking forth into action, or, into such intemperance of language, as to violate the rational dignity, that is, impair the just authority, of the Courts. But though it be impossible, entirely to control those angry feelings, it is surely desirable to turn them into the least pernicious channel. It is better they should "speak daggers," than use them. Those who composed the Association may say to the people, "Your wrongs were frequent and oppressive, but you took an improper course to correct the evil: you returned insult for insult, outrage for outrage, and you shed blood for blood. We knew that there were better remedies in the law of your country, though its paths are somewhat intricate, and access to it difficult; but we undertook to guide your steps and facilitate your approach, being well assured, that you would soon find, and acknowledge it to be, a more effectual protection than private vengeance can ever

be. But we may no longer assist you. The law is still open to you, but each man must find his own way to it." Among a peasantry, who have never felt much reverence for the law, what sentiments would naturally arise from such a communication? They would not and could not enter into an inquiry, respecting the reason for precluding them from this assistance, but would say, "If the law mean to protect us, why does it forbid our friends helping us to appeal to it?" With such suspicion, their appeal will rather be to the more certain and summary jurisdiction of revenge.

In several of the principal speeches under consideration, contradictory opinions are expressed, respecting the *chief* evils and dangers produced, or to be apprehended, from the Association; and could the accuracy of the reports be depended on, it might fairly be argued, that the reality and amount of those evils and dangers had not been clearly ascertained in the minds of the speakers; but, having examined the main arguments, it becomes unnecessary to draw collateral inferences, which possibly may rest only on the inaccuracy of the reports.

Mr. North is reported to have blamed the Association for not following the advice of Mr. Cobbett, who "recommended the Association more than two months ago, to "draw up an account of every individual case of oppression, "and submit the account to the consideration of the English people; that, he said, would make a more powerful "appeal, than a much greater quantity of declamatory matter. This was a sensible call on the Association, but it "was a call that had not been obeyed." It is strange that this remark should have proceeded from such an acute person. Had that account been drawn up and published, would there not have been a general outcry at the injustice of the proceeding,—"an ex-parte statement, calumniating individuals, and vilifying public officers"? It would have been said, "Why have not these calumniators applied to the law, if such injustice really existed? The law is open to them." Another objection to the measure proposed, is, that it might justly expose them to criminal informations and actions for libel. Instead of taking this step, the Association proceeded to inquire into all the cases of abuse or outrage that were brought before them, and then did apply to the law; thus endeavouring, both to give publicity to their grievances, and to establish the truth of their complaints in the fairest and most solemn manner. In fact, every prosecution, every application to the law and the pub-

lic authorities, was an item in the account, Mr. North censures them for not having drawn up. They complied with the beneficial part of the advice, omitting only that part which would have been exclaimed against as imprudent and unjust.

It may be proper to add a few remarks upon the several acts of the Association mentioned in the debate, to shew that it did not exercise its power so as to interfere with the functions of Government. The two cases brought forward by Mr. Goulburn to prove the misconduct of the Association, and the effect of its interference in corrupting justice, ended in the acquittal of the accused persons: to these may be added four cases mentioned by Sir Henry Parnell.* In the first, it appears by his statement, that Mr. Kiernan, the Catholic Barrister employed, so far from obstructing Mr. Blackburn, whom Government sent down to investigate the original outrage, gave him all the assistance in his power, and "reported most favourably of Mr. Blackburn's conduct "in regard to the previous inquiry, and afterwards men-"tioned in the highest terms of panegyric the conduct of "Mr. Justice Moore." He also, in the Association, "ad-"vised the matter to be left to his Majesty's Attorney-Ge-"neral, and that the Association should not proceed unless "the Government declined to do so." In the second case, it appears that the complaint made by the Association was so far established, as to induce Government to remove the person complained of from his situation in that part of the county. In the third case, after obtaining one verdict, Mr. Bric, the barrister employed by the Association, relinquished, in compliance with the wishes of the Magistrates, many other suits brought by Catholics against Orangemen. In the fourth case, the result appears to have been, that "the "first set of prisoners, the Orangemen, who were put upon "their trial, were acquitted. The second set, the Catho-"lics, after a sort of reconciliation, were discharged." It is difficult to conceive how, in any of the above cases, the part taken by the Association could have obstructed the functions of Government; while it appears that in several, the object was to assist, and, at the same time, exhibit a marked deference to its authority. Neither did the conduct of the Association towards Mr. Augustus Cavendish, indicate any desire to interfere with the power of Government, since it applied to that very power for redress. Taking the case as

* See a corrected report of his speech, published by Ridgway.

stated in Mr. Peel's speech, there seems no doubt, but that harsh and hasty measures were adopted towards Mr. Cavendish.

Professing to examine merely the general reasons on which the suppression of the Association was justified, only the general principles and practices of that body have been considered, with the hope of shewing, that they were neither pernicious, nor unknown to the constitution: at variance, neither with those of legitimate government, nor with national usage; and that its imperfections and irregularities were the necessary consequences of the feelings an oppressed condition had engendered: a defence, therefore, of any particular act would be here misplaced, even if the writer possessed materials for making a successful one. If Mr. Cavendish were rashly or intemperately accused, condemned without proof and unheard, there would be neither credit nor success, in seeking to vindicate such a proceeding by reference to any constitutional doctrines. But the doctrines of the constitution, and the history of the country, have not always run in corresponding columns: they have not always maintained the relation of text and commentary; and, if only the spirit of censure were to be obeyed, it would not be difficult to point out instances of injustice, alike in principle, but more injurious to the victims in effect. The history of the very subject under discussion discloses some startling circumstances. A Bill framed upon the doctrine, that "notoriety is a ground upon which legislation may be founded,"* was proposed for the specific purpose of suppressing a particular assembly of the people; for that was the object, notwithstanding the slender pretext of its being designed against all similar associations. Because the existence of the body was notorious—that its existence must be an evil, was assumed to be equally so. Upon this ground of legislation, a penal act was passed, not only in principle restrictive of popular rights, but immediately restraining a large portion of the community from their actual exercise. The leaders of that body, some by name, all by implication, as well as the whole assembly, were arraigned and condemned with sarcasm, invective, scorn, and indignation; their principles and practices were said to be as mischievous as they were notorious, and so notorious as to require no proof—that is, no rigid or legal proof; for such proofs as the private information of members, the substance of unproduced documents,

* See Mr. Canning's Speech above cited.

extracts from newspapers, and general rumour, together with the conjectures and inferences of the speakers could supply, were abundantly employed. Thus, that the case required proof, was unconsciously recognised at the moment it was denied in words. Yielding to those impulses of nature, by which, when men are determined to do any act, their minds are rendered exquisitely sensible to the conviction of its propriety, and being sure that the majority of their audience would acquiesce in their determination, they instinctively felt that the sense of Justice entertained by their hearers, though it required a sop, was not a Cerberus. "The weightier matters of the law" were due to the spirit of Justice: the "tithe of mint and anise and cummin" were paid to its officiating ministers instead,—and they were content with the composition.

At the moment that proof was refused, on the pretext that notoriety was an equivalent, above a hundred members of the House were contradicting many of the facts, and denying all the inferences: the delegates of the body were at the threshold, imploring to be heard in its defence, and to be allowed to produce their witnesses; solemnly asseverating that their actions had been misrepresented. and their characters maligned: in Ireland, the voice of millions re-echoed those asseverations, and that petition for such justice as would not be denied, individually, to the meanest of their multitude. If notoriety be a ground of legislation, does it not also form a case for inquiry; and does not the united testimony of multitudes constitute notoriety? It is notorious, that neither numbers, nor rank, nor wealth, nor character, nor talents, were wanting to give authority to their declaration, that they were calumniated and unjustly accused; and to their prayer, that they might not be condemned unheard. Was that notoriety which could sustain penal legislation, a basis too narrow for justice? Did they obtain a hearing? No, "'Twas against the order of the day."*

Having examined the arguments, in favor of the Bill, which arise from an interference with the distribution of justice, this branch of the subject shall be dismissed with one observation, for the purpose of recalling attention to the main purport of this work, namely, to shew that the Bill did not "rest upon grounds of imperious and absolute necessity." Had this interference with justice been unconstitutional, and really produced all the peculiar evils described, it could not, even then, have been considered as threatening the im-

* See Mr. Plunkett's Speech.

mediate safety of the state, or as being of a character to lead directly to any such result. However deadly the ultimate consequences of an inefficient or corrupt judicial system may be, their progress is slow and circuitous, and their ill effects must press long and grievously upon the people, before the safety of the state is directly endangered.

That danger may more reasonably be apprehended from the last mischief to be considered, that of counter Associations. Admitting that this effect would be produced by the continued existence of the Catholic Association, to estimate with any degree of accuracy the mischief such counter associations would produce, the following considerations seem requisite. It must be admitted, they would resemble the Catholic Association in the general principles of their formation, or they would not. If such resemblance existed, then all the arguments that have been advanced to prove that the Catholic Association was not an unconstitutional or dangerous body, will in a greater or less degree apply to all Protestant Associations, which might resemble it in appealing to the Government, to the Laws, and to the Legislature, and in pursuing a course analogous to constitutional doctrines and practices, and great doubt must arise whether such associations could be mischievous. If the arguments employed have been erroneous, their refutation, by proving the Catholic Association a dangerous body, will of course also establish the danger of all counter associations which resemble it. But if such associations should arise from other causes than the pressure of any general grievances, if framed on different principles, and pursuing a different course from that of the Catholic Association, it then becomes a question, how far the dangerous nature or misconduct of any one body can justify the suppression of another body, merely because it gave rise to the first. The general application of the doctrine would leave few institutions secure. Ought the associations among various classes of Dissenters to be suppressed, because counter associations among the members of the Church of England may arise? There can be no doubt, that the former desire to extend their own religious sentiments, and that the latter entertain no very amicable feelings towards them. It is hard to say what form of association can be permitted to exist, if the danger of counteracting associations be a just ground for prohibition. Each body should be tried by its own merits, and not by the demerits of its opponents. It would be a bad principle in legislation to adopt the latter mode, because, the suppression

of any useful body might be secured, by raising up a turbulent opposition. Government itself could hardly escape such an undiscriminating doctrine: it might produce Radicals.

This view of the subject may, perhaps, be admitted as generally correct, but replied to, by saying, "Such doctrines must nevertheless yield to practical considerations, and when immediate danger threatens the state, it must be prevented by the sacrifice even of sound principles; in other words, such cases are exceptions; and it has been well observed, an exception to any general rule is really but the intervention of some more general rule, which in this instance is that of guarding the public safety: *Salus populi suprema lex.* Therefore, though the Catholic Association were, in its designs and conduct, as innocent as it is contended to have been, yet, its existence having a tendency to call forth in the shape of counter associations, the angry and turbulent feelings which pervade Ireland, great danger to the safety of the state, must arise from the clash and conflict of such opposing bodies." This seems to be the only rational pretext for the suppression of the Association, and its value depends upon the accuracy of the facts assumed; first, that such conflict between hostile religious and political bodies did not already exist; and secondly, that the suppression of the Catholic Association will prevent its existence in future. The last is still in futurity. The first has long been notoriously otherwise. The Catholic Association is admitted to have been merely a symptom of political disease. The feelings and enmities of Catholics and Protestants have been long exhibiting themselves throughout Ireland, sometimes in forms within the letter of the law, but much more frequently in violation both of its letter and its spirit: always with bitter hearts, and often with bloody hands. A continual strife for power is going on; one party contending to preserve an ascendancy, the other to obtain an equality. The last, declaring that they want equality only; the first, that equality is impossible, that the Catholics would not be content with it, and that an ascendancy belongs of right to themselves, as the only means by which they can preserve the approximation to equality at present subsisting. The Protestants, denouncing as a crime in the Catholics, that desire of supremacy, in the gratification of which they boastingly indulge themselves. The one party, stung with indignation at their injuries and humiliation: the other, haunted by their fears, and corrupted by the long possession of power. If the causes then cannot be removed;

if equality be incompatible with general security; if the Protestant can neither relinquish his fears, nor abate his haughtiness, and the Catholic will neither renounce his religion, nor submit to wrongs, is it not a vain policy, does not every hour prove it to be a fruitless legislation, that attempts to allay the madness by stifling its cries?

Until the original disease can be cured—and that it may, none can doubt, who believe in the existence of just and permanent principles of government—the best policy is to mitigate the symptoms, and to encourage them in a mild, rather than in a virulent form; for in one form or the other they must exist.

It would seem as if the opponents of the Catholic Association had said among themselves, "When the angry spirits of the people appeal to arms, we can meet and crush them, for then, both force and justice are on our side; but when they appeal to the laws, to the government and to the legislature, to our compassion and to our sense of justice, they are too strong. Let us then repress all tendency to such a contest, and turn their griefs back to prey upon their hearts in secret, or arm their hands for revenge; the silence of their anguish will not disturb the calmness of our philosophy, nor will the phrensy of their vengeance be a match for the discipline of our troops." That sentiments like these really existed in their minds, the high character of those persons renders quite impossible; but it is scarcely less certain, that the line of argument they have pursued may be resolved into such, or similar doctrines, and that the measures they have adopted are calculated to force on such results.

In defending the principles of the Association, or rather, in contesting those upon which it has been condemned, the writer is not the advocate of all its acts, or of the sentiments of all its members. He does not desire to see such changes in the constitution, as the progressive nature of society may require, undertaken by any body in the state except the legislature; nor, while that legislature earnestly and conscientiously seeks the interest of the whole community, does he believe that any formidable body can ever rise up with a feeling of hostility to it. But when the wants of a nation have not been adequately relieved, and their complaints have been repeatedly disregarded, such assemblies must occur; and, while they are not only peaceable, but seek redress through legitimate channels and according to principles involved in the common practices of the constitution, it is impossible not to sympathize

with them in their neglected wrongs, and their slighted complaints,—when even the very means of urging those complaints are limited or rendered nugatory: a sympathy, which becomes more intense, when commiseration for the injuries of others, is mingled with apprehension for the future security of our own rights.

Violent language and intemperate sentiments are incident to all meetings, assembled for purposes of deep interest, and are more likely to injure themselves than their opponents, because, besides exasperating the spleen of their enemies and exciting the distaste of the rational, they weaken and distract their own counsels, perplex their deliberations by a multitude of crude or passionate suggestions, and waste in a variety of hasty efforts that energy, which it should be their policy to condense and direct to the attainment of one or two great objects.

> "Sir, Sir, impatience hath its privilege.
> "'Tis true; to hurt its master, no man else."*

If the arguments hitherto employed have been successful in proving that there was not any imminent or extreme danger to the state, resulting from the principles or practices of the Association, it remains to call the reader's attention to the double injury that has been inflicted: on the Catholic body, by forbidding it to exercise what was previously a common privilege; and on the whole nation, by shaking the constitutional doctrine, that the people have a right to assemble and seek redress of grievances in every peaceable way.

Let the strength and nature of this measure be considered. It has suppressed a body of great wealth, numbers, influence, and dignity, intimately united with the people of Ireland,—a third part of the empire: a body so great, that nothing less than imminent national danger could, in Mr. Plunkett's estimation, justify its suppression. If that danger, then, has not been established beyond a doubt, this has been a great act of national oppression and injustice, committed either upon light grounds, or because a class of men possessing influence in Parliament, insisted upon Government yielding to their alarms and their demands.

As it has been the design of this work to recall attention to arguments and measures, the interest of which is considered to have passed away, it may be useful, on the other hand, to direct attention to what is yet to come. The

* King John.

results that can occur are not many. The claims of the Catholics to the constitutional rights, from which they are at present excluded, may be at last granted; and they must then be granted, either because it will not be safe to refuse, or, on the better ground, that it will not be just to withhold them. If the former should happen, it must bring with it alarm, and perhaps danger, for the exasperation of men's minds, joined to the consciousness of power, affords but frail security for the temperate use of that power. If the latter, if justice be the motive, why should justice be delayed? It is wisely and humanely said, that man shall execute justice in mercy, but it is nowhere said that he may defer it. That is a prerogative which cannot legitimately belong to human authority. If both justice and prudence call for the concession, to regard neither, were indeed to "fool with the times, while the spirits of the wise sit in the clouds and mock us." If then, their claims must at last be granted to the suggestions either of fear or of justice, every Catholic that comes into existence, before that consummation, will be an additional enemy, or a new victim. Every hour of delay thus augments the danger and extends the guilt, till, in the fulness of time, what has been sown in iniquity will be reaped in repentance.

But their claims may never be granted. No one will urge the propriety of perpetual exclusion, except on the ground of justice; all, therefore, that need be considered, is their power of extorting those claims; and that power, it is said, they will never possess. But they will always have power enough to perpetuate the struggle. They have it at this moment. To hope that they will ever cease to desire equality of rights, is a vain and pernicious delusion, since what is valuable to us, must be desirable to them, and they must always think those privileges worth gaining, that we think worth withholding. The desire must, therefore, be as perpetual as the exclusion, and perpetual, ungratified desire was regarded by the ancients as one of the torments of hell. The contest too will be eternal, and the whole community must continue to languish under the weakness, not only of defection, but of division and internal strife: the powerful party beholding in the weak an object of alternate terror and pity, dangerous in its struggles, and wretched in its submission. Such a state, could it last, would be a domination, but not a lawful government.

The British Constitution, like every thing else, is mutable, daily and hourly so: in that respect it differs not from any other; but its great value consists in the direction it gives to

this condition of mutability, by making it move with the will of the people at large. The absurdity of immutable laws has been well and often exposed; the adaptation of laws to the wants and situation of a people, is confessedly a part of wisdom. If then, laws must change, and ought to be adapted to the state of the people, the people, who best know their own wants and situation, are the best qualified to direct the change; accordingly, their authority has gradually acquired pre-eminence in the theory of our constitution. Though often disregarded in practice, still it has been the prevailing principle, both in theory and in argument; and, amidst all political changes, those will be found to have been among the most beneficial, which have been most in accordance with that principle. It is a mistake to think that a nation is prone to change; it may quickly feel an evil, but it cannot as quickly ascertain the cause. It is only by long contemplation of the effect, to which they are stimulated by the continual goading of the mischief, that the people discover the cause, and thus their judgment is really most deliberate; hence, it will generally be found, that the measures which have originated with them, or from the strong expression of their desires, have been some of the most permanent and useful, because they had a solid foundation in the most extended experience. It is hardly necessary to say, that only the deliberate and steady opinion of the people is here intended; but it may be proper to suggest some caution against the common error of supposing, that this opinion can never be expressed except in temperate language and decorous assemblies. Mobs and popular meetings are generally tumultuous, but not, *therefore*, wrong; and a statesman who really desires to know the will and opinion of the nation, will seek it every where, even though the inquiry should lead him into low company. When he finds the same sentiments pervading frequent and numerous popular assemblies, he will conclude, that their turbulence has resulted from the accidental circumstances under which they met, but that some real grievance has caused their meeting; and he will learn to distinguish, in the political atmosphere, between its summer storms, and those which indicate a changing season. The persevering demands of the Catholics arise from a substantial cause, and indicate the necessity of some change; but this change is refused, though it would ameliorate the condition of six millions of people. The above principle in the constitution is thus disregarded; and, as if to mark that disregard, to invalidate that principle, the very means of declaring and pressing their

claims, with the best effect, are impaired and limited. The Catholic body, by its number and wealth, is alone of sufficient political importance to deserve that its opinion and wishes, when so unequivocally and unanimously expressed as they have long been, should be esteemed of high authority in directing what sort of alteration ought to be made in the constitution. But if to this powerful body be added the numbers, the wealth, the rank, and public consequence of those who, though differing in religious profession from the Catholics, are yet united in an earnest support of the policy and justice of their claims; and if those who are indifferent be left out of the calculation, a strong probability arises, that a decided majority, both in wealth and number, of the whole empire, have had their opinions and wishes, and with them the above-mentioned principle, disregarded. If this be so, it seems neither extravagant nor unjust to apprehend that, on future occasions, a similar course may be followed: that this principle may be again and again disregarded, till at last, its habitual violation will acquire the character of established and legitimate doctrine. Still less is it extravagant or unjust to suspect that no portion of the people will be permitted to unite and act together as a body, when its purpose is, in any degree, obnoxious to men in power; though it will often happen, that what is most obnoxious to them, is most essential to the people. It is difficult to imagine any powerful union of the people, however innocent or laudable, that may not easily be brought within the terms and spirit of this precedent, which thus gives authority to doctrines, that hereafter may be employed against all classes of society in succession. A large part of the people themselves, in the mean time, as if their own liberty and political power were founded on a rock, where they can neither be smitten by the bolt, nor sapped by the stream; as if they had not enough to do in striving to resist the first acts of unprincipled power (always ready to make a precedent in wrong, if it cannot find one), either feebly oppose, or stupidly disregard, or loudly applaud, false doctrines, when directed against a certain class of their fellow-citizens. Heated by the war-cry of some passionate faction, blinded by some early unexamined prejudice, or alarmed by some vague, indefinite fear, that is terrible only in the darkness of their own ignorance, they look merely to the immediate consequences of the measure, neglecting the remote; and if the spectre be driven from their path, they are regardless of the precipice to which that path may lead.

No political weed takes deeper root or thrives better than a bad precedent. Fools and knaves unite to cultivate it: the one from stupid reverence, the other for the sake of its convenient shelter. The acts of our ancestors must have considerable weight in our minds; they are always useful as examples, but should never be conclusive as authorities. The wise will estimate them merely by their intrinsic merits, the foolish by the reputed wisdom of their authors; for both will seek for wisdom—the rational to communicate with her, and the foolish to worship; while the latter, by the habit of mistaking every act of a wise man for a wise act, end by transferring their adoration from wisdom herself to what has been rightly called "the fool's idol of precedent." Hence the childish language about "the wisdom of our ancestors," and the pernicious error of referring every present measure to that standard,—an error into which the posterity of these persons can hardly fall. Were it practicable to exclude these worshipers from power, their idolatry might be harmless, but that, unhappily, cannot be done; their title to power is indefeasible, for wealth gives power, and many such are born to wealth; while those whom nature has endowed with better qualities, even before the ripeness of manhood, generally plunge into pleasures, till their minds are weakened and wearied: repose is then sought in sloth and indolence; and if reflection come at last, they no longer possess time or energy sufficient to acquire useful knowledge. Deriving little enjoyment from power, they yet feel a lively dread of losing it, and therefore easily admit any doctrine that seems to promise present relief from the present apprehension, which, to feeble or foolish minds, is always the most terrible. Were it possible to exclude these persons from political power, a test, by which to know them, would become necessary, and perhaps the most accurate might be found in a declaration so often and so arrogantly made, as clearly to indicate the school in which it is a leading dogma—that of implicit faith in the wisdom of our ancestors, and in the virtue of our contemporaries.

A king that governs by a faction, is generally weak; but the weakness of a king does not ensure the strength of a nation. Their relative condition may be altered, and an apparent accession of power gained by one party; but the whole body will be absolutely depressed; and when a large portion of a great people fix their regards rather on the demerits of a faction, than on the rights of a nation; when, impelled by some early prejudice, or stimulated by some

hasty passion, they give their assistance and applause to measures that exclude their fellow-citizens from common political rights, that even deprive them of their legal and constitutional privilege of seeking those rights by every peaceable method, they will, at some future period, discover that the victims have been taken from their own body, and that the chains they helped to forge, will not be suffered to hang and rust upon the wall. It was a silly lion that suffered his claws to be pared, and his teeth drawn, and all for the love of the forester's daughter.

GEORGE SMALLFIELD, PRINTER, HACKNEY.

A

LETTER

TO

HT HONOURABLE THE SPEAKER
THE HOUSE OF COMMONS,

ON

THE CLAIMS

OF THE

ROMAN CATHOLICS:

CONTAINING

CORRESPONDENCE

BETWEEN

POPE PIUS VII.

AND

E KING OF NAPLES.

TH AN APPENDIX.

LONDON:
Y, ALBEMARLE STREET.

MDCCCXXVII.

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A

LETTER,

&c.

SIR,

AN intense interest has been excited throughout the country at the prospect of an early discussion, in the present session of Parliament, of the Catholic claims. It would seem that, upon a subject which has so constantly been brought before the public, and in the elucidation of which such transcendant talents have been displayed, little would now remain to be said; yet, from the nature of these claims, from the various shapes which, at every period of their reproduction, they assume, it is impossible to deny that fresh matter is constantly rising up, well worthy the serious consideration of the legislature, and deeply interesting to all reflecting minds.

It is under this impression that I have ventured to address to you the following pages, hoping that the details and reasoning contained in them may not be considered as unworthy your attention; and that the letters of Pope Pius

the Seventh, and the late king of Naples, which (having accidentally fallen into my hands) I have now produced, may not be looked upon as uninteresting in the present state of the Catholic Question.

When entering upon the consideration of this most important question, it is melancholy to reflect, even at the present advanced period of civilization, with how much asperity towards each other the different sects of Christians still uphold the doctrines by which they are divided. From the earliest heresies of the Ebionites and Gnostics, from the Novatian and Arian schism, to the present time, the charitable feeling which would dictate to every Christian the belief, that a merciful *Creator* could not attribute, as a crime, the conscientious interpretation of the Revelations he had vouchsafed to render to mankind, appears never to have been entertained. The professed Arian was formerly persecuted as an infidel, who dared to derogate from the attributes of his Saviour; while, at the present moment, the Protestant and the Catholic, though in equal reverence of the inspired writings upon which their religions are founded, yet anathematize each other for the various interpretations of those passages, which each conscientiously believes he correctly understands. It is in vain to reason upon these divisions, which distract

mankind. The prejudices of habit, the jealousies and vanities of men, yield not to the force of argument, or to the voice of truth; and where a feeling of religious charity would seek to heal the discord which has oppressed the world, the interests of man step in to arrest its influence.

Thus, in the support of that mighty fabric, which, in the silence of the dark ages, grew to a commanding height, and, as the church of Christ, assumed unbounded power over the civil and religious government of the world, a host of followers rise up at every step, defending its interests, protecting its supremacy, and, under the veil of sanctity, dealing forth damnation upon those, who, by resisting their construction of Holy Writ, would shake them from an authority which has never been attained by the greatest despots who have reigned over the nations of the earth*. Looking fairly at the pretensions of the Roman Pontiff and the Catholic Church, conceding to them all they may claim from the basis upon which their power is assumed, it is impossible to deny that, according to their mode of interpreting it, no human authority can be set in competition with them. The words of the apostle

* The authority accruing to the priesthood from the confessional alone, is superior to any which has ever been established over mankind.

St. Matthew, in which the declaration of Our Saviour's will is delivered to us, are the following (ch. xvi. v. 18, 19): "Thou art Peter, and "upon this rock I will build my church, and the "gates of hell shall not prevail against it. And "I will give unto thee the keys of the kingdom "of heaven; and whatsoever thou shalt bind on "earth, shall be bound in heaven, and what-"soever thou shalt loose on earth, shall be loosed "in heaven." If these words are correctly interpreted as conveying to us, that to Peter, and to his successors in the See of Rome, without limitation as to time, Our Saviour granted the privilege of representing him on earth; that he appointed him and them the head of all the members of his church; that he assured to them an infallibility of judgment, and required from all Christians an equal faith in their decisions as if they proceeded from himself, then it is a sacrilege to compare any authority on earth to that which is thus conceded *.

The prostration of the sovereigns of the world

* It is difficult to come to such a conclusion as this, as to the real intention of Our Saviour: first, because the words used do not appear to justify it, particularly since the natural inference to be drawn from them is, that Our Saviour referred to the faith which St. Peter had testified, saying, "Thou art the Christ the Son of the living God." was upon the rock of this faith that Our Saviour de-

before the Holy Person in whom this amazing privilege resides, is not only an homage due to

clared he would build his church (*a*); next, because so important a grant of power is mentioned only by St. Matthew, the rest of the apostles being silent upon this subject; and lastly, because the general doctrine contained in that same gospel, as in all the others, is at variance with any such pretension; and because there is not the slightest evidence that the apostles, either before or after the death of Our Saviour, ever in any way acknowledged it. In this gospel of St. Matthew (*b*), chap. xx. ver. 26, it is stated, "Whosoever will be great amongst you, let him be your "minister; and whosoever will be chief amongst you, let "him be your servant." Chap. xxiii. ver. 8: "But be not "called Rabbi, for one is your master, even Christ, and "all of ye are brethren." St. Mark, chap. ix. ver. 34: "But "they held their peace; for by the way they had disputed "among themselves who should be the greatest. And he "sat down and called the twelve, and saith unto them, If "any man desire to be first, the same shall be last of all, "and servant of all." Chap. x. ver. 42: But "Jesus called

(*a*) This doctrine is maintained by the Council of Ephesus, Conc. vol. iii. p. 135; by St. Ambrose in his work, De Incor. chap. 5; by St. Cyril of Alexandria, Dial. 4. de Trin.; by St. Augustin in his Serm. 270, in Die Pent. & 76 de Verb. Dom. n. 2, &c. &c.

(*b*) According to the Catholic history of the Popes, St. Mark was commissioned by St. Peter, while at Rome, to write his Gospel. It is therefore a very singular circumstance that he should not mention those words of Our Saviour, by which his patron is supposed to be nominated as the head of the Christian church. Eusebius states that the Gospel of St. Mark was at first surreptitiously taken from the preaching of St. Peter, but the apostle having discovered it, he sanctioned it. If this was the case, there could not be a stronger proof that St. Peter himself did not teach that he was the rock on which the church of Christ was built, since in St. Mark's Gospel these words are never mentioned.

him, but if any greater could be invented, it still would be inferior to what, in justice, should be

" them to him and saith unto them, Ye know that they " which are accounted to rule over the Gentiles, exercise " lordship over them; and their great ones exercise au- " thority upon them. But so shall it *not be among you;* but " whosoever will be great among you shall be your minis- " ter; and whosoever of you will be the chiefest, shall be " the servant of all." St. Luke, chap. xxii. ver. 24: " And " there was also a strife among them, which of them should " be accounted the greatest. And he said unto them, The " kings of the Gentiles exercise lordship over them; and " they that exercise authority upon them, are called bene- " factors. But ye shall not be so; but he that is greatest " among you, let him be as the younger; and he that is " chief, as he that doth serve." St. John, chap. xvii. ver. 11: " And now I am no more in the world, but these are in the " world, and I come to thee; Holy Father, keep through " thine own name those whom thou hast given me, that they " may be one, as we are. And for their sakes I sanctify " myself, that they also might be sanctified through the " truth. That they all may be one, as thou, Father, art in " me and I in thee, that they also may be one in us: that " the world may believe that thou hast sent me. And " the glory which thou gavest me I have given them; that " they may be one, even as we are."

The whole of these passages are directly opposed to the supposition, that Our Saviour intended that any one of the apostles should be considered as superior to the rest, or that there should be any other unity in his church, but in himself and with the Father. In the first council which was held in the Christian church at Jerusalem, as recorded in the 15th chapter of the Acts of the Apostles, the opi-

required. To what a height is such a person raised above us! to what adoration is he not entitled! In the meekness and humility, however,

nion, which was declared by St. Peter, came not as from the infallible representative of Our Saviour; on the contrary, the doctrine, which was sent forth from that council as adopted by the apostles, the elders, and the whole church, was proposed by the apostle James, and was distinct from that which had been recommended by St. Peter; and in the letters which were written to the brethren which are of the Gentiles in Antioch, in Syria, and in Cilicia, and which conveyed to them the decisions of the council, no mention is made of St. Peter, nor is there the slightest evidence that he there exercised any sort of spiritual superiority.

In the 21st chapter of St. John, verse 15, the injunction to St. Peter, "feed my flock," cannot be tortured into a belief, that he alone was to feed that flock; for, as it is stated by St. Paul, in his second Epistle to the Galatians,— "The preaching the gospel of the uncircumcision was con- "fided to me, and that of the circumcision to St. Peter." St. Paul, therefore, had no hesitation in withstanding St. Peter to his face in a doctrine on which he conceived he was wrong.

There followed from this no schism of the church; no bull of excommunication from St. Peter; no cessation of that unity of the spirit in the bond of peace, which was never interrupted amongst the apostles, because (like the various churches of Christians of the present day) they had in truth one Lord, one faith, and one baptism. But that one Lord was not Peter, but Christ; that one faith was in the revelations of Our Saviour; that one baptism the one he had ordained.

of the successors of St. Peter, they have at different times acknowledged a certain assent, on the part of the members of the Catholic Church, to be necessary to establish the infallibility of their decisions; yet as this is in no way made mention of in the words of the Apostle, it must rather be considered as a concession, than a right inherent in the Church; and although it has been asserted and contested in many of the various conflicts which have arisen between the Popes and the Catholic Clergy, yet it appears impossible fairly to establish against the Pope any claim of such a nature. In this sense, the Roman Catholic is justly called upon in his creed to promise and swear true obedience to the Roman Bishop, the successor of St. Peter, the Prince of the Apostles, and Vicar of Jesus Christ; and although he is called upon in the same document to obey the decisions of certain councils, which, under the authority of the Popes, have at various times been held, and to assent to the dogmas of his religion which have been established by them, yet his direct and personal obedience is only required, as if due to the Vicar of our Saviour on earth. It is true, that considerable bodies of Catholics, alarmed at the preposterous power thus assumed upon these premises by the Popes, have resisted it, and have cited as the rule of their faith, the Canon

of the 10th Session of the Council of Florence, which defined, that "full power was delegated "to the Bishop of Rome, in the person of "St. Peter, to feed, regulate, and govern the "Universal Church, as expressed in the general "Councils." But it must not be forgotten, that to render these canons lawful, the sanction of the Pope is necessary; that it is no way compulsory upon him; and, therefore, that their existence as the infallible regulations of the Church, is dependent on his judgment and decision. But will it be asserted, that when a general council is not assembled, there is no infallible authority governing the Church? If so, this is a Catholic doctrine totally at variance with that which is professed in the Vatican; and, although the want of orthodoxy may be allowed to go unpunished, in consideration of the friendly views in which these sentiments are set forth; although, like the rights of the Gallican and other churches, they may be tolerated from necessity, yet these principles will not the less have incurred the secret condemnation of that court. That they may not be remarked upon, will be owing to the wisdom with which the Court of Rome is guided at the present moment. It is not now a time to enter upon discussions on the extent of its authority; while several thousand Italian, Spanish, and Portu-

guese priests are quietly instructing the vast majority of the people committed to their charge from their pulpits, in their general converse with them, or at the confessional, that the Holy Father, the Vicar of Christ, is the infallible head and regulator of the Church, and of every thing appertaining thereto on earth; that they are to prostrate themselves before him; they are to value his blessing as if delivered to them by the divinity he represents; they are to look to him as the infallible judge of the penance required from them in this world, to save them from punishment in the next; that to him they may in confidence apply for the release of the souls of their departed relations and friends, from the torments of purgatory; that the miracles by which their faith is to be confirmed, the canonization of the saints they are to adore, are declared by his infallible authority. While these doctrines are promulgated throughout the greatest part of the Catholic world, the Papal See will bear with resignation those well-meant aberrations which may be disseminated in distant countries, and the cognizance of which is withheld from its more docile followers. Of this there can be no question; that there is no principle so clearly set forth in the Transalpine Roman Catholic Church, as the infallibility of the Pope; it is a principle from which the See of Rome has never receded, and

upon which it has never in any instance yielded one jot of its pretensions *.

With these principles distinctly laid down as

* Having stated this to be the doctrine of the Vatican, it is necessary to remark that the authority of the greater number of the fathers of the church is totally against it.

Pope Nicholas III., in 6th Decret., Book I. de Elect. c. 17, says, "that the church is built on the apostles and preachers "of the gospel, who are its firm foundation, and are themselves established on the firm foundation of our Saviour." St. Gregory in his fifth book, Ep. 18, to John, Bishop of Constantinople, says, "Peter the first of the apostles and "member of the universal church, Paul, Andrew, John, "what were they but the chiefs of particular churches, and "yet they were all members under the one only head. And "to say every thing in a few words, the saints before the "law, the saints under the law, and the saints under the "grace, formed altogether the body of the Lord, and are all "members of the church, and no one amongst them took "upon himself the title of Universal. The Apostle Paul, "having learnt that some person said, I am the disciple of "Paul, and another of Apollos, and another of Cephas, had "a horror of this laceration of the body of the Lord, by "which its members united themselves in a certain degree "to other chiefs. And he called out, saying; Paul, has he "been crucified for you? or have you been baptized in the "name of Paul?

"If, therefore, (continues St. Gregory,) the Apostle, in "opposing himself to these partialities, prevented the members of the body of the Lord from submitting themselves "to other chiefs than Jesus Christ, although they were "Apostles, what would you answer on the day of judgment to Jesus Christ, the head of the universal church,

the doctrines of the Holy See, it is necessary to inquire in what way the followers of its faith can

" you, who, in taking the title of universal bishop, seek to " render subservient to you all its members?"

The same doctrine is held by Origen in Mat. vol. 12, n. xi.; Tertullian in. l. 4. cont. Marc. n. 39; St. Hilary in Psalm 67, n. 16.; St. Jerome, l. 1. adv. Jov.; and in c. 2, and 62 Isaiæ; St. Cyril. in l. 4. Isaiæ. Orat. 2; and Cardinal Cuza, in his 2nd book, chap. 13, con. Cath. says, " we know " that Peter has not received more power from Jesus Christ " than the other Apostles; for nothing was said to Peter, " which was not said to the others; for as it was said to " Peter, *all you shall bind*, &c., it has been said to the " others, *all you shall bind*, &c., and if it has been said to " Peter, *you are Peter, and upon this rock*, &c., we under- " stand by this rock, Jesus Christ, whom Peter had con- " fessed."

With regard to the words of our Saviour addressed to Peter, "I will *give to you the keys*, &c.," it is affirmed by the following fathers, that this was a faculty, *not given to Peter alone*, but to all the Apostles.

St. Cyprian in his work de Unit. Eccl.

Origen in Mat. vol. 12. n. 11.

St. Hilary, de Trin., Book 6. n. 33.

St. Jerome, in his letter against Jovian.

St. Ambrose, in Parag. 38.

St. Gaudentius, Orat. 16, in Die suæ Ordinationis.

St. Augustin, in Serm. 149, de Verbis. Act. 10, and in Serm. 295, in Nat. Apostol. Petri et Pauli.

Theophylactus, in his work upon Mat. xvi.

Bede upon Mat. xvi.

St. Jerome, in his letter 101, ad Evangelicum, alias 85 ad Evagrium, says, "it must not be believed that the church of

amalgamate in affairs of state with those of a different religion. To arrive at any clear understanding upon this part of the subject, it is of the first importance to inquire what is the extent of temporal authority which has either been laid claim to by the successors in the chair of St. Peter, or which the evidence of history and the consent of the church have authorized it to assume?

However involved in mystery is the tradition which has been handed down concerning the election and authority of the early bishops or popes of Rome, however futile is the search even after any satisfactory evidence, as to the actual presence in that city of St. Peter himself*,

" Rome is different from those of the rest of the universe.
" In whatever place there is a bishop, let his diocese be in
" Rome or Eugubio, at Constantinople or Reggio, in Alex-
" andria or Thanis, it is of the same consideration, it has
" the same priesthood. The power which is given by riches
" does not exalt a bishop above the rest, and the humility
" which accompanies poverty does not render him inferior
" to his colleagues. The bishops are all equally the suc-
" cessors of the Apostles! !"

* The first authentic shape in which the traditional account of the presence of St. Peter at Rome is cited, is by St. Irenæus and Tertullian, who wrote about the year 200, and who merely state the *report* of St. Peter's having been in that city. St. Irenæus, in his Book against heretics, chap. iii., relates that the church of Rome was founded by the Apostles St. Peter and St. Paul; but he also states that

yet it is beyond all doubt that, during the first

when the blessed Apostles had founded and built the church, they intrusted the office of bishop to Linus. This would prove that the same conduct was adopted by one or both the Apostles in Rome, as in all other cities; they established no bishopric for themselves, but committed the duties of that station to others, to whom, as to their successors, it has never been pretended that they imparted their apostolic powers.

Linus was succeeded by Anacletus, and after him by Clement, of whom an epistle to the Corinthians is still extant. It would be natural that, if he considered himself as the successor of St. Peter, he would make some mention of this circumstance; but, on the contrary, he does not pretend to any power derived from that Apostle, and in the mention he makes of his martyrdom does not even state where it took place (*a*). And Tertullian, in his history De Proscriptione, chapter 36th, refers only to the martyrdom of St. Peter and St. Paul in that city, coupling with it the relation of the tortures attempted to be inflicted there upon the well-beloved "Apostle, who was plunged into boiling oil, "from which he came out without hurt, and was sent to a "desert island." The next author who mentions this subject, is Eusebius, in the year 313, who says, in Book the 2nd, chapter 13th and 14th, that "Simon Magus having been "driven from Judea by St. Peter, came to Rome; but by the "clemency of divine Providence, Peter, who, by the great-"ness of his faith and the merits of his virtue, was Prince "of the Apostles, was immediately, in the time of Claudius,

(*a*) It is singular, that Eusebius, when stating in book iii., chapter 5, that Linus and Clement were left in charge of the Church of Rome, should remark that Paul had declared those persons to be his companions and assistants, leading one therefore to conclude, that he believed them to have been appointed by that Apostle, and not by St. Peter.

ages of Christianity, these bishops were the sub-

"brought to that city, to combat against the universal ruin "of the human race."

St. Jerome, in the year 373, in the Catalogue of ecclesiastical writers, (No. 1, Vol. iv. part 2, page 101,) relates, that "Simon Petrus, ad expugnandum Simonem Magum, "Roman pergit, ibique 25 annis Cathedrum sacerdotalem "tenuit." And Paul Orosius, in the 5th century, book 7th of his history, chapter 6th, relates, that, in the beginning of the reign of Claudius, Peter was at Rome. The whole of this testimony is nothing more than the relation of a tradition at the distance of from two to four hundred years, by persons who, although speaking of an event which was supposed to have taken place in the most polished city of the world, yet can produce no authority whatsoever for what they state,—no written document by which to verify their account. There is hardly a city in the southern provinces of Italy, which has not some traditional relation of the presence of St. Peter; all seem to have been alike desirous with Rome, to date their conversion to Christianity from this Apostle, Brindisi, Otranto, Taranto, Trani, Oria, Andria, Sepronto, Reggio, Naples, Capua, Terracina, Bari, Benevento and Sessa, all pretend to some tradition of this mark of the divine favour; but all, equally with Rome, are unable to bring forward the slightest evidence in favour of this hypothesis, a circumstance which would appear totally impossible, if there was any foundation for it(a).

The Catholics, however, bring forward another argument in favour of their pretensions; they cite the authority of Grotius, who, being a Protestant, and writing in the seventeenth century, states, that the ancients interpreted Babylon for Rome: they therefore assert, that in the fifth chapter of

(a) Vide Giannone, Vol. I.

jects of the Roman Emperors; that they continued

St. Peter's first epistle, when he says, "The Church that is "at Babylon elected together with you, saluteth you," he meant Rome and not Babylon; that this epistle therefore was written from Rome, the salutation of which Church he sends to the strangers scattered through Pontus, Galatia, Cappadocia, Asia, and Bithynia.

This mode of proof is somewhat singular, upon a subject of so much importance; particularly since the natural inference is, that St. Peter wrote from Babylon in Egypt, in which country he must have resided, as he is stated to have appointed St. Mark bishop of Alexandria; but what is still more unaccountable is, that St. Paul, who came to Rome in the year 62 or 63, (that is, towards the close of the asserted papacy of St. Peter, who is stated to have been in that city as early as 42,) should make no mention of him whatsoever, and that when he is interrogated, regarding the faith he professed, by the Jews he called together, as stated 22nd verse of the 28th chapter of the Acts of the Apostles, "But we desire to hear of thee what thou thinkest; for "as concerning this sect, we know that everywhere it is spoken against," he should not have referred to St. Peter, who, according to the tradition of the Catholics, had established Christianity in that city twenty years before, and whom Paul ought to have looked upon as his spiritual director, from whom alone, particularly in his own diocese of Rome, he ought to have received the directions by which to regulate his conduct. But the direct contrary is to be inferred from the language of St. Paul, who, in his epistle to the Christians residing in Rome, written before he went to them, states, in chap. i. ver. 11, "For I long to see you, "that I may impart to you some spiritual gift, to the end "that you may be established:" and in chap. xv. ver. 16, where he reminds them that "he is the minister of *Jesus*

to remain such, till long after the transfer of the seat of empire to Constantinople; that their elec-

"*Christ* to the Gentiles;" and in ver. 20, that "he had "strived to preach the gospel, not where Christ was named, "lest he should build upon another man's foundation." How is all this to be reconciled with the idea that Peter had been at Rome before this was written? What, indeed, had Peter to do there, since it it stated that his ministry was in the gospel of the circumcision; therefore with the Jews, and not the Gentiles? whereas, Paul declares that his is with the uncircumcision; and (2 Cor. chap. xi. ver. 5,) that "he was not a whit behind the chiefest of the apostles."

It is also worthy of remark, that St. Paul wrote six epistles from Rome, in none of which he even mentions St. Peter; and that St. Luke concludes his Acts of the Apostles by stating, that St. Paul resided at Rome two years, making no allusion whatsoever to the supposed residence there of the representative of our Saviour.

So far as to the *first* residence of St. Paul in Rome: an account of his second visit to that city, in the year 66, is given in his second epistle to Timothy, chap. iv. ver. 9: "Do "thy diligence to come shortly to me. 10 For Damas has "forsaken me. 11 Only Luke is with me. 16 At my "first answer no man stood with me, but all men forsook "me. 21 Do thy diligence to come before winter. Eu-"bulus greeteth thee, and Pudens and Linus, and Claudia, "and all the brethren."

The silence of St. Paul with regard to St. Peter on this occasion, which was the last year but one of his supposed pontificate, is still more remarkable than on the former occasion, for he here states the names of the persons who were at Rome; and it would seem quite impossible he should omit the greatest of them all, if he had been there.

tions, sometimes proceeding direct from the Emperors, were always * subject to their approval;

This much is quite certain, that St. Peter's having been at Rome, is the most doubtful of all the important circumstances which attended the establishment of christianity; a curious foundation for the superstructure which has been raised upon it, and for the damnation which has been pronounced upon all those who have ventured to disbelieve or doubt it.

* Upon the election of the Popes, it is curious to read the account given by Ammianus Marcellinus, of the scandalous scenes which took place at the contested election in 366, between Damasus I. and Ursicinus, at which one hundred and thirty persons were the victims of the ambition of these pretenders to the sacred representation of Our Saviour on earth. This author describes the vast treasures which, from every part of Italy, were at that time sent as donations to the See of Rome; and the devotion with which the Roman matrons deprived themselves of their jewels and ornaments to enrich the church. He affirms that the election of a pope cost the faithful sums which were more than regal. In looking through the account of the various modes in which the Popes conducted themselves at their elections with regard to the emperors, it appears that, in 418, after the death of Zosimus, the clergy and people of Rome being divided, elected two Popes, Eulalius and Boniface. The prefect Symmachus wrote to the emperor Honorius for his orders on this occasion: the emperor desired that the two Popes should appear before him at Ravenna; in the meantime he directed the Bishop of Spoletto to perform the service of Easter.

Eulalius came to Rome at the head of his partisans, in disobedience to the order of the emperor, and caused consi-

that after their elections had been confirmed by the emperors, they were subject to their autho-

derable disorders: he was driven out by the prefect, and in consequence was deposed by the command of the emperor; and Boniface established in the chair of St. Peter. Eulalius was afterwards appointed to the bishopric of Nepi. In 532, Pope John II. received with submission, and even, as is shown by his epistle to the Emperor Justinian, with praise and gratitude, the edict of King Athalaric, the successor of Theodoric, by which, in imitation of the conduct pursued on similar occasions by the emperors Leo and Anthemius, the election of the Popes was regulated. Athalaric sent this edict to his prefect Salvouzio, with orders to notify it to the senate and people of Rome, and to have it engraven upon the front of the cathedral of St. Peter. In 579, Pope Pelagius II. sent to the Emperor Mauritius, to excuse himself for having occupied the chair of St. Peter without waiting for his approbation. Benedict II., in 684, declared, by consent of the Emperor Constantine II., that the election of the Pope should belong to the clergy and people of Rome, without waiting the imperial sanction, or that of his exarch. But the idea of any such independence was overthrown under Charlemagne and his successors, who confirmed the election of each Pope. Gregory IV., in 828, would not exercise the functions of the papacy, until his election had been confirmed by the Emperor. Leo VIII., in 963, issued a decree, by which he transferred to the Emperor Otho all the authority which the clergy and people of Rome had exercised in the election of the Popes. Gregory V., in 995, was elected by the Emperor Otho; and Gregory VI., in 1045, was displaced by the Emperor Henry III., who elected four successive Popes. Nicholas II., in 1059, declared that no election of a Pope was valid, unless made by the cardinals; and Gregory XV., in 1623, established the form of election which is now observed.

rity *, that they were summoned to the general councils which the emperors thought fit to assemble; and, until the schism occasioned by the doctrine of the Iconoclasts, that there is no evidence of their having pretended to any independent temporal authority. At the period of this heresy, during the reign of the Emperor Leo the Isaurian, and under the protection of the victorious Lombards in the battle of Ravenna, Pope Gregory II., in the year 727 (first having excommunicated the patriarch of Constantinople, and menaced the emperor), set up a claim of independence. He was supported in this assumption of authority by the great body of the people, who, looking to the images as the objects of their adoration, adhered to the Pope as the protector of all that was dear to them: they willingly transferred to him the obedience which hitherto they had rendered to the Emperor; they

* Till the end of the eighth century, the Popes were subject to the duke of Rome, who was dependent upon the exarch of Ravenna. A remarkable instance in proof of this is to be found in the conduct adopted towards Pope Martin I., in 647. This prelate was accused by the Emperor Constans of being in correspondence with his enemies, and of having refused to publish the imperial formulary. He was consequently arrested in Rome by Theodore Calliopa, an officer sent for that purpose by the emperor, and carried to Constantinople, where he was tried, and condemned to exile in the Chersonesus, where he died.

regarded him as their political chief, and supported him in his rebellion against his sovereign.

The inhabitants of the Pentapolis followed the example of the Romans; and the Popes thus supported, and being protected by the Lombards, assumed, for the first time, political independence; to this title alone were they indebted for their temporal authority. They did not at first openly assume it.

Pope Gregory III. wrote to the Emperor in the year 732, "that the tenets of the Holy "Church do not belong to the decision of em- "perors, but of popes, who are wont securely "to transmit them. It is for this reason that "priests, abstaining from state-affairs, are set "over churches; let, therefore, emperors like- "wise abstain from ecclesiastical affairs, and "take care of the concerns committed to them." This language, however haughty, is not that of a temporal sovereign; but the Popes did not long delay the open assertion of more extensive authority.

The emperors were too weak to punish their insubordination; but, in escaping from the imperial jurisdiction, the successors of St. Peter found themselves menaced with the loss of their independence, from the new-established dominion of the Lombards. The history of the Popes Zachary, Stephen II., and Stephen III., attests

the fears they entertained on this subject from Luitprand, Astolphus, and Desiderius; but turning to Pepin and Charlemagne, they at first were enabled, through their means, and by force of arms, to weaken, and at last to destroy the dreaded power of the Lombards, and by legitimating the usurpations of the French princes, to establish their own illegitimate authority. The disputes which continued for a series of years after this assumption of temporal power, the destruction of the Western Empire, which had been established under Charlemagne, and the succession of the Saxon princes to the imperial throne under Otho, in 962, prepared the way for a much more extensive assertion of authority by Gregory VII., in the year 1073. During this time, the direct interference of the German emperors in the election of the Popes is a matter of historical notoriety: where their influence was not asserted in the choice of the Roman bishops, their sanction to the election was invariably required.

The Emperor Henry III., after deposing the three Popes who disputed the chair of St. Peter in 1046, named, of his own authority*, Clement II.; and having forced the clergy and people of

* It is worthy of remark that, after the decisions of the second Council of Nice, in 786, in favour of the worship of images, the Emperor Charlemagne, who had written against

Rome to surrender to him the usage they had maintained of recommending the Popes for the approbation of the Emperor, he appointed the succeeding Popes, Damasus II., Leo IX.*, and Victor II., without any interference whatever with his sovereign will. At the end of this period, in the Council of Lateran, under Nicholas II., the election of the Popes was regulated between the cardinals, the clergy, and the people of Rome; "saving always the honour "and respect due to the Emperor, to whom the "Apostolic See accorded the privilege of con-"curring in the election by his consent."

This may be taken as the first step towards the establishment of the independence of the bishops of Rome: up to this period, notwithstanding the momentary assumption of supreme authority, which at different times they may have attempted, yet it was founded upon no law, it was sanctioned by no canon of the Church†.

these decisions, assembled a council at Frankfort, composed of above three hundred bishops, in which, in opposition to Pope Adrian, the Emperor's opinions were confirmed, and were declared the rule of the Catholic faith. Where was the infallibility and supremacy of the Roman Church, when these things were permitted?

* After the Emperor Henry III. had named Leo pope, Hildebrand, afterwards Gregory VII., persuaded him to receive his nomination from the clergy and people of Rome.

† Up to the time of the Emperor Valentinian III., no other

If at one time, in the confusion of all legal authority, the Popes were elected by the republicans who had established their dominion in Rome; if, at another, the nomination to the chair of St. Peter was shamefully abandoned to Theodora, to her daughter Marozia, or to the family of these persons, yet no claim of independence from the sovereign authority of the Emperor could be set up upon such unbecoming irregularities. But from the date of the canon just cited; from the period of Gregory the Seventh's pontificate; from the grants of the Countess Matilda*; from the treaty of Worms, in 1122, between the Emperor Henry V. and the Pope Calistus II., by which the investitures of the Church were regulated, and the possession

canons of the Church were known but those compiled by Stephen, Bishop of Ephesus.

* The reported gift of the city of Rome by Constantine to Silvester I., and the grants of Pepin and Charlemagne, are not here mentioned, since the first is supported only by a document which is now universally confessed to be a forgery, and the others appear never in reality to have conferred any dominion over the states to which they relate, but merely to have ceded their revenues—the supreme authority remaining in the French Princes. This is the inference to be drawn from the history of those times, for no instrument by which the donation is made exists; and only a very doubtful one, in a manuscript, dated in 1142, of the grant by Louis le Debonair, which alludes to the grant of Pepin and Charlemagne.

claimed by the Popes restored to them; from the period when, by the letters patent of the Emperor Rodolph, in 1278, the states of the Church, as they now exist, were ceded to Nicholas III.; and lastly, from the year 1355, when the Emperor Charles IV. recognized at his coronation the absolute independence of the temporal authority of the Popes, promising never to set foot in Rome, or in any of the territories subject to its dominion, without the Pope's consent,—a legally established independent authority was acquired by the successors of St. Peter, which has been handed down to the present time.

It being, therefore, an established fact that, from the first ages of Christianity, the Bishops were subjects of the Roman Emperors, and not independent princes; and that, up to the conversion of Constantine, in the beginning of the fourth century, they were under the government of Pagan sovereigns, it is of essential importance to inquire in what way they then exercised their authority; whether in the persuasion of any superiority derived from the Saviour of the world, they then set up any pretension to interfere in the civil government of their country; or promulgated against the idolatrous sovereigns, under whom they exercised their functions, the anathemas with which they have since visited the independent princes of the world? The evidence of

history is opposed to the assumption of any such authority on their parts. The Roman Pontiffs, during the first ages, while preaching and practising the holy precepts of Christianity, increased their influence in proportion to the number of proselytes, who, abandoning the rites of their forefathers, took refuge in the sacred doctrines which they promulgated.

By their piety and humility, they inspired the new converts with sentiments of veneration and devotion, which they repaid by the protection and support their increasing influence and augmented resources enabled them to afford.

Being chosen by the free voice of the people, they devoted themselves to their service, and administered to the wants of those who stood in need of assistance; but it was only in the second century, that, a sort of hierarchy having been established in the Roman Church, the Popes, by acquiring greater lustre in the eyes of the people, obtained from them increased reverence and spiritual submission. Their authority, however, was limited to that which belonged to the Bishops of other Churches, and more particularly to those established in the East.

That it was no other,—that they were neither considered as superior to them, nor as infallible, is proved, not only by the history of the four first centuries, but by the authority of the Fathers of

the Church, the Saints, who to this day are worshipped and adored by the Catholic Church. In the second century, Popes Anicetus and Victor, having wished to introduce a new discipline as to the day on which Easter should be observed, the Eastern Bishops disapproved and resisted the attempt, and continued to follow their ancient practice. St. Irenæus wrote to Victor, censuring his conduct, and resisting his pretended supremacy, or the right which he had assumed of excommunicating those who differed from him in opinion*.

* Eusebius, in book v., chap. 23, 24, gives an account of this dispute, from which it is evident that the Church of Rome then exercised no supremacy over those in the East, or in France; for, after stating the many Fathers who agreed in opinion with Polycarp, Bishop of Smyrna, in maintaining the ancient usage, and who would not be moved from the rule of faith which had been handed down to them from their predecessors, having learnt from them to yield obedience to *God* and not to *men*,—he relates, that the Bishops, who had been excommunicated by Victor as inclined to heresy, wrote to him, *and ordered* him, that he should rather attend to keep peace amongst ecclesiastics, and to maintain harmony and union of sentiment. Eusebius states, that the letters still exist by which these Bishops severely *reprimanded Victor* as one who *ill* administered to the wants of the Church; and that Irenæus and the Bishops of Gaul held the same language towards him. That Irenæus, in his correspondence with him, referred to many differences of discipline, as maintained by different Churches, all which, under the former Bishops of the Church,

Stephen I., in 253, having engaged in a controversy with the African Church, upon the baptism of heretics, and having pretended to a superiority over other bishops, he was vehemently opposed by St. Cyprian, by Dionysius of Alexandria, and by Fermilianus, Bishop of Cæsarea; and a council having been assembled at Carthage, the opinion of the Pope was condemned, and his pretensions resisted*.

he, Victor, then governed, were never interfered with; that even Polycarp and Pope Anicetus, not having been able to agree upon the day for the observance of Easter, yet remained on terms of perfect harmony, deciding that each Church should follow its *own regulations*. Nothing can be stronger than the whole of this chapter of Eusebius against the Roman doctrine, of the necessity of unity and of submission to one visible Head of the Church.

* In proof of this, it will not be uninteresting to give the following extracts from some of those letters of St. Cyprian which bear upon this point. In the one to Pompeius, after telling him that he has sent him a copy of the letter he had received from Pope Stephen, he says, "This letter, when you "have read it, will serve as a stronger proof to you of his "error, and of the efforts he makes to maintain the cause of "heretics against Christians and the Church of God; since, "amongst other things, either vain or contradictory, which "without sufficient knowledge, or improvidently, he writes," &c.; and, towards the end of the same letter, "how could the "hard obstinacy of our brother Stephen ever come to this, "that he should approve the baptism of Marcianus, and of "Valentian, and of the other blasphemers of God the Father."

In his letter to Quirinus upon the same subject, alluding

During the reign of this Pope, the Spanish bishops, in the case of Basilides and Martial,

to the conduct of Stephen, he makes use of the following expressions:—"We ought in all things to preserve the "unity of the Catholic Church, nor yield to our adversa- "ries in any thing which relates to faith and truth: but "Non est de consuetudine prescribendum, sed ratione vin- "cendum. Since even Peter, whom our Saviour elected "the chief of the Apostles, and upon whom he built his "Church, in discussing with Paul upon the circumcision, "never pretended, nor insolently or arrogantly assumed, "or said, that he held a primacy, and that it belonged to "the newly-elected, or to posterity, to obey him. Nor "did he despise Paul, who first had been a persecutor of "the Church, but he easily consented to the advice of "truth; offering thus an example of concord and of pa- "tience, that we may not be pertinacious in our opinions, "but that we may embrace that which, being true and le- "gitimate, may sometimes usefully be suggested to us by "our brethren and colleagues."

In the speech of St. Cyprian, in the Council of Carthage, when alluding to the supremacy to which Stephen pretended, he says,—"It now remains that each of us should "declare our sentiments, no one having a power to judge, "or to remove another, who should have a different opi- "nion, from the right of communion. Since no one of us "has been constituted bishop of bishops, or by tyran- "nical terror has forced his colleagues to obey him, since "each bishop is the arbiter of his own liberty and autho- "rity, so that, not being able to judge others, the others "cannot judge him; but each of us awaits the judgment "of our Lord Jesus Christ, who solely and alone has the "power to raise us to the government of his Church, and

equally condemned his assumed superiority, and maintained their own decisions in opposition to his decrees.

Under Sylvester I., the Council of Arles, assembled by order of the Emperor Constantine,

" of judging according to our conduct." It is evident from the language thus used, that St. Cyprian, who was not only high in the hierarchy of the Church, but who is adored by the Catholics as a saint, was entirely persuaded that no supremacy or infallibility existed in the Bishops of Rome. Firmilian uses still stronger language; and in his letter to St. Cyprian, says,—" I am truly indig-
" nant at the visible and manifest folly of the Bishop of
" Rome, when he glorifies himself upon the place where
" his bishopric is situated, and pretends to hold a succes-
" sion from Peter, upon whom the whole Church is founded.
" We may say that we oppose to the custom of the Ro-
" mans which Stephen objects to us, the truth which is
" founded upon the doctrines of our Saviour and the
" Apostles. But let us pass lightly over the conduct of
" this Roman Bishop, lest the audacity and insolence with
" which he conducts himself should render his actions
" still more grievous." The authority of Tertullian is equally strong against any supremacy in the Church of Rome. In chapter 20, he produces, against heretics, " the
" faith of all the churches founded by the Apostles, or
" derived from them, which together may be called the one
" same Church, shewing the same unity which came from
" the Apostles;" and in his chapter 36, which has already been cited, he says,—" If you wish to persuade yourself,
" look to all the Apostolic Churches, to Corinth, the Phi-
" lippians, the Thessalonians, to Ephesus, or in Italy, to
" Rome."

condemned the heresy of the Donatists, and sent a copy of their decrees to the Pope; but it is indisputable that they required from him no confirmation of them. The proceedings upon this heresy are the best proofs of the dependence of the ecclesiastical upon the imperial authority; for the Donatists, being dissatisfied with the decisions of this Council, appealed from them to the Emperor, who himself examined the whole affair at Milan, in 316, and gave his final judgment upon it *.

* Julius is the first Pope who appears openly to have laid claim to a supremacy over all other bishops,—in the exercise of which he thought proper to object to the decisions of the Council of Antioch, held in 341; and in a letter addressed to the Fathers assembled there, he stated,—"That "custom had introduced into the ecclesiastical discipline, "that the general affairs of the Church should be treated "with the consent of the See of Rome." This pretension was resisted by the Fathers, who having re-assembled in 343, denied the authority of Rome in their dioceses, and reproved the Pope for interfering in what could in no way concern him. They stated "the respect they bore for the "Church of Rome, but reminded the Pope, that the per-"sons who had instructed him in the faith, had come from "the East; they stated themselves to be persuaded that, "although their dioceses were less extensive, yet they "were neither less estimable, nor in any way inferior to "the Roman Bishops, while they considered themselves "as very superior in virtue."—The dispute which was

In the Council of Nice, which was assembled shortly after the one at Arles, and was presided over by Hosius, Bishop of Cordova, the authority, or primacy, of the Pope was limited to those churches which were subject to the jurisdiction of the Vicarius Urbis, which comprised

thus occasioned, led to the assembly of a Council at Sardica, from which the Eastern Bishops seceded to Philippopolis, where they severely censured the Pope, and the Western Bishops, and thus gave rise to the first schism of the Greek and Latin Churches. This schism was in part appeased by the deposition of the Pope Liberius, the successor of Victor, by the Emperor Constans, and by the nomination of Felix as his successor. Liberius, having afterwards conformed to the semi-arian doctrine of the Eastern Bishops and of the Emperor, and having consented to the condemnation of St. Athanasius, was replaced in his bishopric; but in conjunction with Felix, the two continuing to reign together.

As regarding the pretended supremacy, it is worthy of remark, that a letter from the Pope Damasus, in 382, to Paulinus, Bishop of Antioch, referring to the Council of Nice, is totally different in the *Greek translation*, which exists in the Ecclesiastical History by Theodoret, from the Latin, which is now produced as the original. According to the last, Damasus speaks of a Council at Rome, which sanctioned the decrees of that of Nice, and mentions also the baptism of Constantine by Pope Sylvester, no allusion to either of which exists in the Greek copy; and as neither of these facts are supported by the history of the times, this part of the letter is looked upon as an interpolation of a later period.

the seven southern provinces of Italy, and the Islands of Sicily, Sardinia, and Corsica *.

In the beginning of the fifth century, in the dispute which arose in the case of the presbyter Apriarius, between Popes Zosimus and Celestinus I. and the Bishops of Africa, the pretended supremacy of Rome was totally rejected, and the bishops of Alexandria and Constantinople concurred with the council of Carthage in the doctrines which it had maintained †.

* With regard to the jurisdiction of Rome, the Council of Nice decreed, that the ancient custom should be observed in Alexandria and in the City of Rome, which requires that the Bishop of Alexandria should be charged with the government of the Churches of Egypt, as that of Rome is charged with the government of the Churches *Suburbicarias*.—Vide Rufin. vol. ii. p. 46.

† Extract of the Synodal letter of the African bishops to Pope Celestinus, reported in Conc. vol. ii. p. 1674.—" For, " as to some one being sent by your holiness (that is to say, " a legate, to judge in these parts), we find no council that " has ordered it. In regard to what you communicated to " us some years since, by our brother Faustinus, as being " decreed by the Council of Nice, we have found nothing " similar to it in the most authentic copies of that council, " which we have received from our holy colleague, Cyril, " bishop of Alexandria, and from the venerable Atticus, " bishop of Constantinople. Therefore, do not listen to " those who will advise you to send hither any of your " functionaries to execute your orders; and beware of " sending such, for fear that you may be accused of wishing

Many other instances might be brought forward to prove the total absence of any obedience or submission on the part of the Christian churches to the see of Rome, or of any acknowledged infallibility in its bishop during the early ages of Christianity *. The church of Milan even was almost constantly separated from its jurisdiction until the eleventh century, and to this moment follows a different discipline †. After the total

" to introduce the pomp of secular dominion in the Church " of Jesus Christ, which ought to shew to every one the " example of simplicity and humility."

* After the general council, held by order of the Emperor Justinian, at Constantinople in 553, the greater part of the western churches separated from Pope Vigilius and his successors, Pelagius the First and Second, refusing to agree to the condemnation of the doctrines of Origen and " *the three chapters*," to which these popes had given their sanction.

† Under the Roman emperors, from the time of Constantine, the empire was divided into different jurisdictions. Italy was separated into two vicariates, the one of Rome, the other called of Italy, the capital of which was Milan. The church followed the same distribution, the clergy of one vicariate obeying the bishops of Rome; that of the other, the bishop of Milan. In the other provinces of the empire, the same arrangement was established; and at the councils of Constantinople, in 381 and 536, the order of the patriarchs, co-equal in authority, was as follows: Rome, Constantinople, Alexandria, Antioch, and Jerusalem (*a*).

(*a*) Vide Giannone, vol. i.

overthrow of the Eastern, the Egyptian, the African, and the Spanish churches, by the propagation of Mahometanism, and while the Latin church was fortunate enough to succeed in converting the Barbarians, who overran the western empire, an opportunity of asserting its supremacy, while its rivals were levelled with the earth, was afforded, and judiciously improved by it. But from this adventitious circumstance no inference can be deduced as to its original superiority; so much otherwise is the evidence of all history, that even as to the rank which, amongst other bishops, was assigned to the Roman prelates, it was decided in the council of Chalcedon, in 451, that there was equality amongst primates, but that the Bishop of Constantinople was to be next in place, but equal in rank, with the Pope of Rome *; and even Gregory the

* The council of Chalcedon, in 451, declared in the eighth canon, that the "ancient fathers had granted certain "privileges to Rome, because it was the residence of the "imperial court. For the same motives, the one hundred "and thirty bishops assembled in the second general council "of Constantinople, had also granted similar privileges to "the Bishop of Constantinople, stating, with reason, that "a city, honoured by the presence of a court, an imperial "senate, and with rights equal to those of ancient Rome, "should be exalted and raised in the ecclesiastical order, "so that new Rome should yield in nothing to the old "one."

First, while he condemned the title of Universal Bishop, which, notwithstanding the decree of Chalcedon, had been assumed by the primate of Constantinople, devised only for himself that of Primate of Italy and Apostle of the West *. While, therefore, there is no authority to presume that the Bishop of Rome was looked up to in the early ages of Christianity, as the head of the Christian world; while, from the inspired writings of the Apostles themselves there is no circumstance which can in any way confirm the belief, that St. Peter was considered as the regulator of their conduct †; while, on the

* Boniface the Third, in 607, is first stated, in the Catholic history of the Popes, to have obtained a declaration from the Emperor Phocas, that the Roman See, as the one which had been occupied by the Prince of the Apostles, should be designated and considered as the head of all other churches. But it is notorious that the schism, which in 879 divided the Greek and Latin churches, and which had its rise in the jealousies of the primates of the East and West, was brought to a crisis by the dispute, whether the Bulgarians, who had lately been converted to Christianity, should be subject to the pope, or to the patriarch of Constantinople; thus evidently proving that the two churches were considered, at that time, as maintaining independent jurisdictions.

† Some Catholics quote the 10th chapter of St. John, beginning at the 14th verse; "I am the good shepherd, and know "my sheep, and am known of mine. As the Father know- "eth me, even so know I the Father; and I lay down my life

contrary, it is notorious, that on the question respecting the mode of living after the manner

" for the sheep: and other sheep I have, which are not
" of this fold; them also I must bring, and they shall
" hear my voice; and there shall be one fold and one shep-
herd:"—as if the good shepherd was St. Peter and his suc-
cessors. And also the 11th verse of the 17th chapter of
the same apostle: " And now I am no more in the world,
" but these are in the world, and I come to thee. Holy
" Father, keep through thine own name those whom thou
" hast given me, that they may be one as we are." As if
the being one only as we are (namely, the Father and Son)
meant to convey, that all Christians were to be of the same
mind with St. Peter. The 13th chapter of the Second Epistle
of St. Paul to the Corinthians, verse 11, " Finally, brethren,
" farewell. Be perfect, be of good comfort, be of one mind,
" live in peace; and the God of love and peace shall be with
" you," is also quoted; as if the admonition, " be of one
mind," could in any way relate to St. Peter; whereas it is
St. Paul who exhorts the Corinthians to be of one mind
amongst themselves, never alluding to the other apostle.
Also, the 4th chapter of St. Paul's Epistle to the Ephesians,
verse 1: " I, therefore, the prisoner of the Lord, beseech you,
" that you walk worthy of the vocation wherewith ye are
" called, with all lowliness and meekness, with long-suffering,
" forbearing one another in love, endeavouring to keep the
" unity of the spirit in the bond of peace. There is one
" body, and one spirit, even as ye are called in one hope of
" your calling; one Lord, one faith, and one baptism, one
" God and Father of all, who is above all, and through all,
" and in you all." As if his injunction to have one Lord,
one faith, and one baptism, meant that these should be under
St. Peter, of whom he makes no mention. If

of the Jews and Gentiles, St. Paul appeared at Jerusalem, to inquire as to the doctrines of that church, opposing himself to St. Peter *,—it is

If anything was wanting to prove that the Apostles did not consider the Church of Christ as subservient to St. Peter, it would be the total absence of all mention of him in all these injunctions to the newly-converted Christians: they are recommended to be united amongst themselves, and with the one Lord, their Saviour; but the intermediate authority of a head of the Church is nowhere to be discovered in the directions given to them. Upon the importance of unity, which by the Catholics is so much insisted upon, and which relates not to the unity of the acknowledgment and worship of our Saviour, but of the discipline of the Church, it is not unworthy of remark, that the council of Jerusalem, to which reference has already been made, sanctioned the most essential departure from that unity, when they allowed the converted Gentiles the privilege of non-conformity to the law of Moses in the ceremony of circumcision, while they maintained it for the Christian Jews.

* St. Paul's Epistle to the Galatians, chapter ii., verse 7:—
"But contrariwise, when they saw that the gospel of the uncircumsion was committed unto me, as the gospel of the circumcision was unto Peter (for he that wrought effectually in Peter to the apostleship of the circumcision, the same was mighty in me toward the Gentiles); and when James, Cephas, and John, who seemed to be pillars, perceived the grace that was given unto me, they gave to me and Barnabas the right hands of fellowship; that we should go unto the heathen, and they unto the circumcision. Only they would that we should remember the poor; the same which I also was forward to do. But when Peter was come to Antioch, I withstood him to the face, because he was to be

at the same time manifest, that the fundamental principle of the Catholic Church, that obedience and submission to the civil authority, as established in the words of our Saviour, "Give unto "Cæsar the things which are Cæsar's, and unto "God the things which are God's," was ever the principle by which was regulated the conduct of the early popes of Rome towards the imperial authority under which they exercised their ministry.

It is evident from what has been stated, that the belief of any temporal authority in the Popes, either as independent princes, or as the regulators of sovereigns, or of the obedience due to them from their people, cannot be an article of faith legally to be required from the Roman Catholics. No groundwork upon which to found such a pretension can be discovered in history; no assumption of any such authority can be produced in the early ages of Christianity. In the

"blamed. For before that certain came from James, he did "eat with the Gentiles; but when they were come, he with-"drew and separated himself, fearing them which were of "the circumcision. And the other Jews dissembled likewise "with him, insomuch that Barnabas also was carried away "with their dissimulation. But when I saw that they walked "not uprightly according to the truth of the Gospel, I said "unto Peter, before them all, If thou, being a Jew, livest "after the manner of Gentiles, and not as do the Jews, why "compellest thou the Gentiles to live as do the Jews?"

time of the apostles, and under the fathers of the church, a constant submission, even to Pagan authority, exemplifies the submissive character towards the civil government; the meekness of the religion which our Saviour vouchsafed to reveal to mankind. Upon the doctrines transmitted to us in the gospel, upon the conduct of our Saviour himself, it would be vain to attempt the establishment of the principle of any temporal authority. To believe in it can never be necessary to salvation, and can never be demanded as a rule of faith *.

After having thus far pursued this part of the subject, it is necessary to turn back from the doctrines which may be derived from the examination of the early history of the Catholic Church to the contemplation of those principles which, in direct opposition to them, it has at various times promulgated.

Without entering into any tedious detail of the

* There can be no doubt, even according to the Catholic history of the Popes, from St. Peter downwards, that (to use the words of Lord Clarendon) there has not been one half century of years in which it hath not been affirmed, that the successors of St. Peter either did not challenge or assume to themselves that power and authority that is now claimed by divine right; or that they were opposed and contradicted in the point by considerable parts of the Christian Church, which reject it from a Catholic verity, and so cannot be reckoned amongst the Catholic doctrines.

various steps by which the assumption of almost universal power by Gregory VII. was prepared, it is enough here to state the conduct pursued by this able and domineering prelate towards the Emperor, Henry IV., the son of his early friend and protector. In the fourth year of his pontificate, he cited the Emperor to appear before him, to answer for his conduct, in resisting his authority: unless he appeared, he threatened to depose and excommunicate him; and when, in obedience to these decrees, his imperial majesty arrived at the papal residence in Canosa, he was made to await three days, almost without food, and despoiled of his imperial garments, until this haughty pontiff condescended to admit him to his presence; where the sentence of excommunication was only in part remitted to him, as it depended on the condition of his appearing before another tribunal, and where the re-assumption of his imperial authority was made subservient to the same condition. After the statement of such an assumption of authority, it is almost needless to mention the declaration of Gregory, that, as Pope, he was the first prince on earth; that he was infallible; that he could depose sovereigns at his will, and could dispense with the oaths of fidelity of their subjects. These maxims set forth in his *Dictatus Papæ* were those by which he was governed in the course of his reign: they were

equally followed by his successors; and without referring to the many instances in which they were employed, in a long series of years (amongst the most remarkable of which were the acceptance by Innocent III. of the sovereignty of the kingdoms of Portugal, Arragon, Poland, and England, as granted to him by their respective sovereigns; the sentence of excommunication and deposition issued against the Emperor Frederic Barbarossa, and his son, Frederic II., by Alexander III. and Innocent IV.; and the pretension to dispose of the government of the Indies, and of the newly-discovered continent of America, by Martin V. and Alexander VI.), it is enough to cite the excommunication of Queen Elizabeth by Pius V.; in which he cut her off, as a heretic and favourer of heretics, from the unity of the body of Christ; deprived her of her pretended title to the kingdom, and of all dominion, dignity, and privilege whatsoever; absolved all her subjects from their allegiance; forbade them to obey her or her laws; and included all who should disregard this prohibition in the same sentence of excommunication. It is needless to go further to prove the assumption of the extreme of temporal authority; and it is only necessary to state, that the Papal church has never retracted this sentence, or any of the many others of the same nature promulgated by the Roman Pontiffs,—proving thus, that it considers them as distinctly

according to its lawful prerogatives, and within the bounds of its authority; and, as an additional proof of this fact, it is necessary to observe, that no constituted Catholic authority has ever presumed to declare against them *.

* In principle, the first article of the rights of the Gallican Church, and the answers of the six Catholic Universities to the questions proposed by Mr. Pitt, deny this power in the Papal See; but the application which the Court of Rome has made of it in the case here cited, and in innumerable others, has never been condemned by any Catholic council or recognized authority; nor has the Papal See ever consented to retract it. Such, indeed, is the constant policy of the Court of Rome. At the general settlement of Europe in the Congress of Vienna, it was the only power which did not renounce its sovereignty over the States which were detached from it: on the contrary, it protested against the cession of the Contât of the Venaissin and Avignon to France; and it still continues to do the same as regarding the Duchies of Parma and Placentia, although their separation from any dependence upon it was effected by the treaties of the quadruple alliance in 1718; by that of Seville in November, 1729; by that of Vienna in November, 1738; and by that of Aix-la-Chapelle in 1748 (*a*). In the same way it maintains its pretensions to

(*a*) The yearly protestation of the Court of Rome on St. Peter's Day is as follows:—The ministers of the Camerali make the protest, and the Pope answers:—"Protestationem admittimus quacunque hactenus gesta pro tuendis dominio et possessione Statûs nostri Parmensis et Placentini rata habentes, confirmamus solemni hac Die beatorum Apostolorum Petri et Pauli consecrata martyrio; nihil etiam deinceps in hujusmodi eorum patrimonio assevendo et vindicando, Omnipotentis Dei præsidio, ipsorumque Apostolorum ope freti, ad extremum usque Spiritum præmissuri."

From this statement it is evident that the power assumed by the Popes is very different from that every state, and to every principle, it has ever either held dominion over or professed. The extravagant supremacy which it aspired to in the middle ages, is well known to have been grounded, in a great measure, upon the pretended decretals of Isidore: these have universally been acknowledged to be forgeries; yet the claims established upon them have never been given up.

Nothing can more strongly mark the policy of Rome in cases of this nature, than the answer of Cardinal Litta to Bishop Poynter; in which he states, "that with regard to "the *regium exequatur*, it cannot even be made a subject "of negociation; such a practice must essentially affect the "free exercise of that supremacy of the Church which has "been given in trust by God: so it would assuredly be crimi- "nal to permit or transfer it to any lay power; and, indeed, "such a permission has never anywhere been granted."

At the time the Cardinal was writing this, he knew that there was not a state, either Catholic, schismatic, or Protestant, with which the Holy See was in communication, in which this system was not pursued. But as it was a Roman pretension that it should not exist, it is spoken of by him as a thing not to be heard of. So as to the appointment to bishoprics; the Papal See maintains that it must come from the Pope. The Russian Government assumes this power, as belonging to the Emperor; and in this difficulty Monsignor, now Cardinal, Arezzo, while Nuncio in Warsaw, hit upon the *mezzo termine*, of answering the ministerial communication from St. Petersburg, which stated, that the Emperor had nominated a Bishop, and desired the Pope's investiture, by saying, that he had received the Emperor's *recommendation*, and would proceed to obtain what *he requested*. That such should be the practice of the Roman Government, and that it should be

which, from the evidence of history, they can in any way be entitled to, or, from the example of the Apostles and the early fathers of the Church, they can be borne out in maintaining; yet it is

suited to its peculiar position, is easily to be understood. Its power exists alone upon the opinion or credulity of mankind. This foundation is of a very fluctuating nature. The Popes have at one time been raised upon it above all other sovereigns; at others, it has failed to sustain them in any temporal authority whatsoever. But to remain where they now are, or to look to an extension of authority or dominion (a sentiment which has been common to them as to every other sovereign), their only weapons for offence or defence are their pretensions, and the degree of deference which will be paid to them. The present Pope, however mild and pacific in his nature, would as eagerly seize upon the universal government of the world, as pretended to by Gregory VII., if the opportunity was afforded him, as the King of Sweden would establish himself in the extended empire of Charles XII., or the government of France in the conquests of Bonaparte: to these, the force of arms is wanting—to the former, the ignorance and bigotry of the middle ages; the constant efforts of both will be to improve their means of action. Fortunately, the danger to be apprehended from either of them is far removed; and there would seem to be as little policy in refusing to enter into commercial treaties, or any friendly intercourse, with the military states above mentioned, lest by such means they should increase their resources so as to accomplish their ends, as in refusing to confer a vast benefit on the people of Ireland, by amalgamating them in their general allegiance to the state, lest the Church should, at some future time, meet with a state of barbarism such as to bear with or support their now almost forgotten pretensions.

equally notorious that this power has been submitted to, and to this day forms a part of the jurisdiction of the Court of Rome.

It is derived from the great principles of infallibility, and the representation of Christ on earth. With these, as the groundwork of the fabric, what human power may not conscientiously be assumed? But that it should be obeyed requires a degree of superstition, of blind submission, of ignorance and of religious awe, which, fortunately for the liberties of mankind, has never been completely, and seldom to any great extent, established over the world. With the increase of knowledge, with the extension of civilization, and the amelioration of the civil governments of Europe, the court of Rome has felt the impossibility of maintaining the exercise of these powers, and has withdrawn them from public observation*.

* The change in the pretensions of the court of Rome may be dated from the unfavourable issue of its struggle with the Venetians in the commencement of the seventeenth century, when Paul V., having excommunicated them, and laid their republic under an interdict, was obliged to retract that sentence, without obtaining any submission.

On this occasion the Papal claims to a supreme ecclesiastical dominion were refuted, its excommunication examined, and contradicted as invalid by the rules of law, and its interdict resisted and condemned as without ground; and all this by a supreme body of very devoted Catholics.

Their total futility was proved in the year 1768, in the dispute between Clement XIII. and Ferdinand, Duke of Parma; upon the publication of several edicts regulating the acquisition of property within the duchy, by ecclesiastics, forbidding the appeal to Rome or any foreign tribunal, in cases of disputed estates belonging to the subjects of Parma; and, lastly, prohibiting all judges, or tribunals, whether lay or ecclesiastic, from giving effect to any writing, order, letter, sentence, decree, bull, brief, or provision from Rome, or from any foreign tribunal, or authority whatsoever, without it should previously have received the *regium exequatur*.

The Pope, by a brief or monitory, censured the Duke for the introduction of this jurisdiction, which he characterized as tending to produce a schism, by which the sheep would be separated from their shepherd; he declared all the acts relating to it to be null and of no effect; and pronounced all those who had taken any part in their formation, publication, or execution, to have incurred the censures of the Church, to have fallen from his apostolic grace, and not to be capable of receiving absolution (unless in the apprehension of death) from any person but himself, or his successor in the Papal Chair*. The

* The letter of the Pope, which is here alluded to, sets out with stating, that the Duchy of Parma and Placentia belonged

Government of Parma resisted these menaces, and communicated the documents relating to them to the courts with which it was in alliance; France, Spain, and Naples protested against

to the Papal See, thus reviving the ancient pretensions which had been advanced in 1512, by Julius II. This Pontiff, in his treaty with the Emperor Maximilian, had accepted this Duchy as a fief of the Empire, and it is so described in the letter of the Emperor Charles V. to Clement VII., dated Grenada, September 17th, 1526; notwithstanding which, on the occasion of the imperial troops having taken up their winter-quarters there in 1706, the court of Rome issued a decree, by which it excommunicated all those who had any share in this transaction.

The answer of the Emperor Joseph to this decree will be found in the Appendix (*A*). (*B*) is the answer of the Empress Maria Theresa to the application of the Pope, Clement XIII., to protect him against the Bourbon courts, when they took possession of Avignon and Benevento. (*C*) is the copy of a despatch from the Minister du Tillot to his sovereign the Duke Ferdinand of Parma, when he observed that the influence of the Catholic clergy was leading his Royal Highness to relax in the maintenance of those measures which had occasioned the differences with the court of Rome, and which had been established under his administration, and (*D*) is a correspondence between the Duke Ferdinand and Clement XIV., after Du Tillot had retired from Parma, and when the Duke had in a great measure conformed to the wishes of the court of Rome. (*E*) is an Extract from the registers of the Parliament of Paris, which relates to the affair of Parma; and (*F*) is an edict of the Empress Maria Theresa against the introduction of the Bull *in Cœna Domini* in her states of Lombardy.

them, suppressed the publication of the Pope's letter within their states, and required from him a retractation. This satisfaction not having been obtained, the French government took possession of the Contât of the Venaissin and of Avignon, and the King of Naples of Benevento and Pontecorvo. The courts of Vienna and Portugal declared their disapprobation of the Pope's conduct; under these circumstances, the court of Rome not venturing to proceed, and the government of Parma still adhering to the measures it had adopted, the occupation of the Papal provinces continued, till after the succeeding Pope, Clement XIV., in 1774, had suspended the effects of the Papal brief, as it regarded the Duke of Parma; and had given him his Apostolic benediction; and until, in conformity with the demands of the Bourbon courts, he had suppressed the order of the Jesuits.

These objects being attained, the Kings of France and Naples, at the intercession of the Duke of Parma, withdrew their troops from the provinces they had taken possession of. By the letters patent of the King of France, the motives for this restitution are declared to be, that "It "having pleased God to give to his Church, by "the exaltation of Clement XIV., a Pope, who "had all the virtues and good intentions neces-

"sary to govern with wisdom, and to the satis-
"faction of all those who were subject to the
"Roman Catholic and Apostolic Church; and
"having also been informed that, regretting the
"troubles which his predecessor by his conduct
"had created, he had not ceased to give to his
"Serene Highness the Infant all possible proofs
"of his sincere affection, and of his desire to re-
"gulate everything which could concern the exe-
"cution of ancient treaties in the most friendly
"manner; so his Majesty, not being able to resist
"the intercession of his beloved grandson, to give
"to the common Father of the Faithful efficient
"marks of the confidence he reposed in the
"principles by which his conduct was directed,
"and in the assurance which he had given of
"the sincerity of his intentions; orders that the
"Apostolic See shall be re-established in the
"possession of the territories which had been
"taken from it."

In our own times, the nullity of a similar menace has been made manifest in the unjust removal of the late Pope from his capital by Bonaparte: the thunders of the Vatican were hurled against this sacrilegious despiser of the sacred character of the Apostle; but they were unheeded and unattended to: and that sentence of excommunication, which eight centuries ago would have

thrown Europe into convulsion, was productive only of greater hardships to the pious and venerable person by whom it had been promulgated.

The claim of the authority still exists, but it lies dormant, where it will remain till ignorance and darkness shall again cover the earth. Whenever, in the general overthrow of the present governments of Europe, and in the establishment of some barbarian rule, civilization shall be chased away, then we may expect again to see the exercise of Papal dominion in all its splendour; but till that time shall arrive, it has departed from us—its spirit moveth not on the deep.

It is under these circumstances that the justice of replacing the Catholic subjects of these realms on an equal footing with the rest of their countrymen, is to be considered: it is at a time when every other government in Europe, having set at nought the pompous detail of the pontifical pretensions of the fourteenth century, has amalgamated the different sects of Christians submitted to their rule, and, by granting them equal rights, have buried in oblivion the religious feuds by which they were distracted;—it is at such a time that the government of England is called upon to admit to some additional privileges that portion of its subjects which profess the religion most amenable to authority, the most submissive in its doctrines, the most monarchi-

cal in its principles, the only one by which passive obedience in the subject is inculcated as a dogma of the church, and where the civil government, when lawfully established, is entitled, through a principle of religion, to the support and obedience of its subjects*.

* As evidence of the doctrines of the Catholic church of Ireland, as to the obedience and loyalty due to the King, the following extract from the pastoral instructions, addressed in 1824, by the archbishops and bishops to the clergy and laity of their communion throughout Ireland, will be found of considerable interest:—

"Let us all, dearly beloved brethren, cherish and promote a love of order in the city of God, which is the church, and discharge our respective duties to our Creator and Redeemer, to each other, and to the state. Let us honour the king who reigns over us, and be submissive to his laws. God, who created man, is the author of society, and of that obedience which is its fundamental law. Those who occupy his place in the state, from whatever source their authority is immediately derived, hold it at least remotely from him, as there is no power but what is from God. The pagans themselves were acquainted with this truth; and the Holy Ghost, in the book of Ecclesiasticus, and that of Proverbs, assures us of the same.

"It is the clear doctrine of St. Paul in his letter to the Romans, to which we have just referred, that a resistance to lawful authority is an opposition to God himself; that the minister of justice is the depository of the divine power; that the sword is not given to him in vain, but for the protection of the good and the punishment of evil-doers, so that every just law has its sanction in the consciences of

In this point of view it has a claim to toleration far superior to the Christian churches separated from the Roman faith. In France, as in Hungary; in a semi-liberal country, as in a

men, and is to be obeyed, not only on account of the punishments attached to its transgression, but still more so, because the law of God has commanded us to be submissive to it. Whence we are, dearest brethren, to conclude with the apostle, that we are to give to every superior what nature and God and the law have assigned them, namely, tribute to whom tribute is due, tax to whom tax is due, fear to whom fear is due, and honour, as well as obedience, to whom honour is due. This obligation, thus unfolded by the apostle, has been comprised in a single sentence by our blessed Lord, saying, 'Give therefore to Cæsar the things that are Cæsar's, and to God the things that are God's.' We therefore, most beloved children, exhort you most earnestly to show, at all times and under every circumstance, a faithful obedience and ready submission to the law; and more especially we recommend to you a cordial attachment to the person of our beloved sovereign, whom God in his great mercy has appointed to rule over this United Kingdom. We do not doubt your attachment to the throne. Fidelity to their kings has ever been the characteristic of Irishmen, and, next to true religion, the most precious inheritance which has descended to us from our fathers. Cultivate and cherish, dearest brethren, these sentiments of loyalty, which your religion, your interest, and inclination enjoin; pray also for the king and those that are in high station, that we may lead quiet and holy lives in all piety and charity: for this is good and acceptable before God our Saviour."

despotic one, the Protestants are placed on a footing of equal rights with their Catholic fellow-subjects: yet their religion is founded on a principle of innovation;—curbed by no ecclesiastical authority, the followers of their creed are ever aspiring at political reform; they have neither the docility of the Catholics to recommend them, nor the religious restraints which temper them into obedience. Still their allegiance to the governments under which they live is entire: no difficulties are found in their introduction into every department of the state; their very existence, as an opposition to their sovereign, has ceased with toleration. In the British dominions, however, the vast proportion of our fellow-subjects detached from the religion of the state, renders the consideration of this subject different from that which has been to be weighed by any other government. Above a fourth of our population is separated from the Established Church; their numbers assure their influence; their enmity is alarming; their power, while it increases, is fostered in hostility; the torrent is powerfully set against the established institutions of the country. To stem this torrent, to turn it into the wholesome irrigation of the general system, is the irksome duty now imposed upon the English statesman. Whether, by opposing, he may stop the general devastation, or, by yield-

ing, he may yet direct its course, he has still unprecedented difficulties to contend against. He has the deep-implanted prejudice of the Irish Protestant against his Catholic fellow-countrymen; his long-maintained monopoly of the influence and power of the state; his pride in repeated conquest; his unrivalled superiority in the country, which all tend to bind in unity a great party in the state against all political concessions. He has, on the other hand, the domineering spirit of the great proportion of the people, who are for the first time rising into consequence, and who might reasonably be supposed to seek retribution for the past: this large proportion of the people are under the influence of the whole body of a clergy unconnected with the State, and refusing as yet to rank itself in the number of its stipendiaries. He has likewise to secure the safety of the Irish Protestant Church as established by law, and as guaranteed by the Union; this Church, which, while it ministers to less than a fifth of the population, yet absorbs a large proportion of the property of the country;—a Church, which was established with the view of conducting the people to its faith, and of ministering to their spiritual wants; but which, having failed in its object, is so interwoven with the

institutions of the country, and so conducive to its prosperity, that its maintenance is of absolute necessity. Alongside of it he has to build up, under a new form, the broken fabric of the Roman Catholic hierarchy, to re-establish it, not in opposition, but in support of the government, the laws, and liberties of the people; he has to lead it towards the maintenance of that authority which alike will foster and protect the members of its church, with every other portion of the king's subjects.

It has seldom been the lot of man to contend against so many difficulties. The greater part of them are political: few of them religious. If, from any cause, a large proportion of the inhabitants of any country, for a long period, had been deprived of the privileges conceded to their fellow-subjects; if during that time they had greatly increased in their numerical superiority and consequent power; if a deep-rooted envy and hatred of those by whom they conceived themselves to have been oppressed, had been engendered in them, the task of reuniting them to the general body, and of confiding to them an equal share of power, must of necessity be difficult and dangerous. The plea, rather than the cause, for not coming forward to struggle against this danger in the present posture of our affairs

in Ireland, is the religion of the great body who have been oppressed*. It is in reality but a plea: for if a reference is made to the oaths now taken by the British Catholics, or those they were willing to have taken, if the bills proposed in the sessions of 1824 had passed, there will appear but two points upon which they would differ from the allegiance sworn to by the Protestant,—the belief in transubstantiation, and in the spiritual supremacy of the Pope†.

* If the Catholics, from their religion, are dangerous subjects, they are as much so to Catholic as to Protestant sovereigns; the duty of rebellion, at the order of the Pope, would be equally binding upon all who were subject to his supremacy: the question of the degree of danger to the different princes of the world could only be decided by the probability of the Pope's displeasure. With those with whom, being separated from his faith he has no concern, and to whose conversion he no longer aspires, he is not likely to have any subject of contention; but with his adherents he is frequently engaged in discussions. The chance of his recurring to his anathemas against them is greater than against those with whom he is in no way occupied. The history of the last century will show the many disputes between the Pope and the Catholic princes. If, therefore, the Catholics ought to be separated from the government in one country, they should equally be so from all; they never can be considered worthy of trust or authority.

† It is reported in the second part, chapter iii., of Mosheim's Ecclesiastical History, upon the authority of Berenger (who was persecuted in the eleventh century for his doctrines upon

The first of these is, merely a test of religious persuasion, and cannot possibly concern the State: the second, when stripped of all reference to temporal jurisdiction, becomes only a question of church-discipline, a preference of appeal in cases of conscience, in the rules of worship, in the attainment of indulgence, or dispensation, which the King, as the supreme head of the Protestant Church, would be little jealous of having submitted to his judgment, which he would reject as not appertaining to his ministry, and of which, therefore, the Catholic in no way deprives him, when, being instructed by his religion to look to a supreme head who will afford him comfort, he addresses himself to a foreign bishop. If the Catholic refers to Rome in this sense only, he cannot fairly be accused of giving a divided allegiance to his sovereign. What he requires from the foreigner interferes in no way with the supremacy of his prince; it is an appeal to a prerogative he pretends not to be possessed of. That the British Catholic should

the subject of transubstantiation), that Gregory VII. announced to him his intention of consulting the Virgin Mary upon the matter in dispute; and Berenger afterwards reports the answer Gregory received in these words: "At B. Maria audivit, et ad me retulit nihil de sacrificio Christi cogitandum, nihil esse tenendum, nisi quod tenerent authenticæ scripturæ, contra quas Berengarius nihil habebat."

have reduced his faith in the supremacy of the Pope to such a standard, that he should be willing to confirm it by his oath, is an evidence of the triumph of reason and common sense over the blind superstition which still holds its sway over most of the countries where this religion is professed. But as it may be proved strictly to accord with the ancient practice of the Roman Church, so have we no cause to disbelieve the declarations; rather should we rejoice in them, as we may thence derive a hope that, whenever the Protestants and Catholics shall be united in one common bond of unity and friendship, when all rivalry upon the doctrines of our faith has ceased, we may see our differences wearing away, and a more Christian sense of charity and indulgence guiding us through our earthly pilgrimage to the heavenly boon we equally are aspiring to. The British Catholic swears that he is not bound to believe or profess that the Pope is infallible*: there can be no doubt

* With this admission, let us hope our Catholic brethren may confess the possibility of the salvation of a Protestant; if his Church is not infallible, it may be mistaken in the interpretation of Scripture: those who differ from them may be right; and, in the adoration of Our Saviour, may partake of his assurance, as given in the Epistle of St. Paul to the Ephesians, chap. vi., ver. 24—"Grace be with all them that "love our Lord Jesus Christ in sincerity;" and again, in the 10th chapter of his Epistle to the Romans, verses 9 and 13—

that, according to the true history of his church, he is correct in this declaration; but, as I have already said, he is no longer, according to the doctrine maintained at Rome, and believed in Italy, a true Catholic. Cardinal

" If thou shalt confess with thy mouth the Lord Jesus, and " shalt believe in thine heart that God hath raised him from " the dead, thou shalt be saved; for whosoever shall call upon " the name of the Lord shall be saved." The hope expressed in this note has been accomplished;—the Catholic Bishops, Vicars Apostolic, and their coadjutors in England, have pronounced the Christian doctrine which has so long been desired, and which may be considered as the greatest step that has yet been taken towards a sincere reconciliation with their Protestant fellow-subjects. The words of their declaration, which is dated in May last, and by which this doctrine is declared, are in the 10th section of that document:—" But the Catholic, whilst he is bound to admit, and, with firm faith, to " believe, this doctrinal principle, is bound also, by the Divine " commandment, not to judge. He is not allowed, therefore, " to pronounce sentence of condemnation on individuals, who " may live and die out of the external communion of the Ca- " tholic Church; nor to pronounce sentence of condemnation " against those who may die in an apparent state of sin: all " those he leaves to the righteous judgment of the great " Searcher of Hearts, who at the last day will render to every " man according to his works." This doctrine will be asserted by many Catholics not to be new; if it is not in theory, it certainly is in practice, and the very estimable persons who have declared it, and who, very probably, would sacrifice their lives, if necessary to the maintenance of it, would find no inconsiderable difficulty in getting it inserted at the present moment in the Diario di Roma.

Gonsalvi, one of the most liberal and benevolent men who, for a long series of years, has been called to the administration of the affairs of Rome, was inexorable on this point. The whole College of Cardinals, and almost every Catholic on the Continent, would as soon adhere to a declaration that the Pope was Antichrist, as that he was not infallible in the government of the Church. Indeed, if he was not so, would the vast sums continue to flow into the Roman treasury, for indulgences, for the release of souls in purgatory, or the diminution of the period of their probation? Would countless pilgrims move from the extremities of Europe to the Holy City, in search of these valuable concessions, if it could for a moment be believed that they might be of no avail? And upon what ground can the faithful who subscribe their money, or the devout, who weary themselves in their distant pilgrimages, be assured of the contrary, but by a firm conviction in the infallibility of him to whom they apply? The very formula used by the Popes,— "We who, though unworthy, yet are the represen- "tatives on earth of our Lord Jesus Christ, and to "whom have been addressed the words to the Apo- "stle St. Peter, 'All that you shall bind on earth, "shall be bound in heaven,'" sufficiently prove that their pretension is to infallibility. That the British Catholic should think otherwise; that he

should abjure the opinion, that princes, excommunicated by the Pope and Council, or by any other authority, may be deposed or murdered by their subjects; or that they should be able to absolve him from the oath of allegiance to his Sovereign; that he should deny to the Pope any temporal or civil jurisdiction within these realms; that he should swear never to exercise any privilege to the disturbance of the Protestant religion or Government in this kingdom;—is only a proof that he conforms himself to the ancient practice of his Church—that he rejects the innovations which have been introduced into it—that, like the Church of France, he tenders his submission to the Roman Pontiff upon those principles of independence which characterized the early establishment of his faith—that he abjures the doctrine of the bull *Unum Sanctum*, by which Boniface VIII. declared, "that the authority of kings was subservient to the spiritual government of the "Popes;"—that he equally denies the precepts of the bull *In cœna Domini*, by which Pius V. "excommunicated all heretics, and favourers of "heretics; all persons appealing from decrees or "sentences of Popes to general councils; all "persons who should lay on fresh taxes, or augment the old, without a special licence from the "Holy See; all magistrates or judges who should "hinder the priesthood from exercising ecclesias-

"tical jurisdiction;" and by the general tenor of which the power of princes is overthrown, their empire rendered subservient to the Church, and the Pope created Monarch over all the sovereigns of the earth: lastly, that he abjures those principles which formed the very essence of the Papal pretensions during the middle ages, and adhering only to the spiritual deference which he believes Our Saviour to have commanded towards St. Peter and his successors; looking to these only for the comfort he conceives they have been authorized to afford, he is as firmly an attached subject to the state, and as anxious a supporter of its independence and supremacy, as any other member of the British Empire.

With this exposition of the faith of the Catholics of the British Empire, it would be unjust to tax them with the profession of any doctrines which would render them unworthy of the confidence of their fellow-subjects, or unfit to take their share in the government of the state. The political question alone, therefore,—the propriety of raising so vast a body of the people, under their peculiar circumstances, to an equality with the rest, is the only point which requires to be debated. As to the expediency of such a measure, no very trifling consolation may be derived from the results of a similar one in the new-established kingdom of the Netherlands. If a coun-

try was to be selected where the spirit of religious hostility had raged with the greatest violence,—where massacre and blood had most polluted the opposing sects of Christians, who had made war upon each other, and where, in consequence, the greatest degree of hostility was engendered between them, it would be this amalgamated kingdom of Holland and the Low Countries. Yet the basis of the constitution under which these countries have been united, is religious toleration. The Catholics and the Protestants are alike employed in the service of the State, in the Legislature, and in every branch in the administration. Has any evil resulted from this arrangement? Has the peace of society been disturbed by theological discussions? Has the tranquillity of the country, or the security of the government, been menaced by the conflicting interests of the opposing sects? It is notorious that none of these evils have arisen; that, on the contrary, this kingdom, although formed of elements the most opposed to each other, has settled down into a state of tranquillity and good order, which exceeds what the most sanguine politician could have hoped at the period of its formation. Compare it with the states of Europe, where a despotic rule, both in religion and in civil government, has held its sway: look to Naples, to Sicily, to Spain; or to the Roman, the Lombard,

or the Venetian States. Is there any man who will say that revolution is most to be apprehended in the Netherlands? Is it in that country that the government is insecure without the aid of foreign bayonets; that the people are conspiring against their rulers; that secret societies are fomenting anarchy and rebellion? or, does it not rather hold out a great example from which the advantages of religious toleration and liberal civil institutions may be collected; from whence, in the happiness of the people, and the security of the government, the wisdom of concession to the wants and prejudices of the governed, may be learnt and appreciated? Does not the state of Ireland appear to call for the adoption of similar measures? Is not that country unfortunately in the situation of those where the government is insecure without the aid of foreign bayonets? Has not the vast majority of the people a great grievance to complain of? And is it not under such circumstances that it is wisdom to concede to the wants, if not the prejudices, of the governed?

But in Ireland there is a difficulty which has not existed elsewhere: the whole of the Roman Catholic Church property has been confiscated, and has long since been disposed of by the government. It is true that the Catholic swears not to disturb, but, on the contrary, to maintain

the settlement of that property as it now exists; but it is also necessary that the Papal government should renounce all claim to it. The conduct which that government has pursued in similar cases, it will necessarily adhere to in the present instance. In the reign of Philip and Mary, the Roman Pontiff, through the agency of Cardinal Pole, legalized the alienation of the temporalities of the Church, as they had been effected under Henry VIII. and Edward VI. Under Clement XIV., the same line of conduct was submitted to, as regarding the property of the Jesuits, when their order was abolished. Under Buonaparte, the late Pope sanctioned the alienation of the Church property, as it had been decreed by the revolutionary governments throughout France and Italy, and in the whole extent of the French empire*. To the same measure the Government of Rome would certainly

* The 13th Article of the Convention, signed at Páris on the 15th July, 1808, between the French Government and his Holiness Pius VII., runs as follows:—" Sa Sainteté, pour " le bien de la paix et l'heureux rétablissement de la religion " Catholique, déclare que ni elle ni ses successeurs ne trou- " bleront en aucune manière les acquireurs des biens ecclési- " astiques aliénés, et qu'en conséquence la propriété de ces " mêmes biens, les droits et révenus y attachés, demeureront " incommutables en leurs mains ou celles de leurs ayant " cause."

be disposed to accede in the case of Great Britain. The claim on the part of England is founded on the title of long possession, and the impossibility of restitution. Where, in France, the conduct adopted by Pius VII. was an act of policy, here it is one of necessity; but along with it must be coupled the organization of the Catholic priesthood, the relief of the people from the heavy charge of its maintenance, and the settlement of that body upon principles which will secure its loyalty and attachment to the state, and its undivided and independent religious services to the followers of its faith.

The conduct which has been pursued by Rome in its different concordats with other countries, and particularly with the Protestant States*,

* Article the 6th of the Convention already cited, states—"Les évêques avant d'entrer en fonctions, prêteront directement entre les mains du Premier Consul le serment "de fidélité, qui était en usage avant le changement du "gouvernement exprimé dans les termes suivans. 'Je jure "et promets à Dieu, sur les Saints Evangiles, de garder "obéissance et fidélité au gouvernement établi par la constitution de la République Française; je promets aussi de "n'avoir aucune intelligence, de n'assister à aucun conseil, de "n'entretenir aucune ligne soit au dedans, soit au dehors, "qui soit contraire à la tranquilité publique; et si dans mon "Diocèse, ou ailleurs, j'apprends qu'il se traine quelque chose "au préjudice de l'état, je le ferai connoitre au gouvernement."

would chalk out the line by which the British Government might be regulated. Where a difference in the situation of the countries required it, different regulations might be adopted, but the general policy would remain the same; and by this measure, coupled with the emancipation of the Catholic body from the civil disabilities under which it has till now been labouring, the whole British people would be amalgamated into one body; the rights of all would equally be secured and protected; and the cheering prospect of tranquillity and happiness would, for the first time, dawn upon the hitherto divided and distracted Ireland. To many persons these views—these expectations of the future—will appear too sanguine; yet they are founded upon the general workings of the human breast; upon the well-established principles of its action. But to those who would advocate a different system, what prospect of amelioration does it hold out? Can they flatter themselves even with a hope that the affairs of Ireland will remain stationary? If such an expectation could for a moment be acknowledged to be well-founded, the prospect would not be a bright one; but even that hope it would be a folly to indulge in. The Catholics are already acting as a body, and are well acquainted with their strength. If they should refuse the payment of tithes to the Church, or rents to their Protestant

landlords, what remedy could be found for the evil? what endless mischief and confusion would not be created?

When five millions of men are bent upon the attainment of an object they believe themselves in equity to be entitled to, it is difficult to define the extent of the resources they will be able to apply to it. Up to the present time, but with open or concealed rebellion constantly in activity, the power of England has been able to maintain its superiority over the sister country; but by its laws, it protects and develops the increasing energy of the enemy it fosters in its bosom. That which it could effect against three millions of impoverished and divided subjects, it will find most difficult, if not impossible, against five millions, particularly when actuated by one mind, and with augmented means. If the animosity is to be kept up, if the boon is not to be ceded, we must prepare for the inevitable contest we shall have to maintain, by arresting the prosperity of Ireland. While she is growing up in wealth, in power, and Catholicism, we must look upon her as an enemy till her just rights have been conceded to her; we must bind her to the ground while we still hold her within our shackles. Where the means of doing so are to be discovered, it would be difficult to say; but they must be found, and found quickly, or the moment will

be gone by. She is moving with gigantic strides towards influence and ascendancy. The means of overtaking and arresting her career are not easily to be applied; nor is there a British statesman who would demean himself by an attempt so unworthy the character of his country. Yet it would be madness to build up the power we must have to contend against. To be just, then, and generous, is our only policy. In all cases it is wisdom; in the present, it is necessity. That the measure of emancipation, whenever it is seriously proposed, will meet with great opposition, is unfortunately too true. The resistance it has already met with from so many eminent and distinguished persons, cannot (although under very different circumstances) be expected to subside; and in the public at large, particularly where the surrender of a monopoly is in question, what attempt at extensive amelioration will not share the same fate? "Il y a des traineurs "dans la marche des siècles; les lumières mêmes "ont leurs détracteurs:" and this sentence of an acute modern statesman, a profound observer of mankind, is not inapplicable in the circumstances of the present case. But where the object to be obtained is of primary importance; when every reasoning from analogy must tend to corroborate the validity of the grounds upon which it is undertaken, it were pusillanimous in those who

are convinced of its propriety to stop short of any legitimate effort towards carrying it into effect.

It has been stated, that the British constitution is essentially Protestant, and that so it must be preserved; but, if it is adapted to the people, one-fourth of whom are of a different faith, how can it in justice be framed to the perpetual exclusion of that portion? Can it be that the majority are to be maintained in every privilege of government, in every distinction in the state; and the remainder, while they are adding to the common stock of the country, by the cultivation of the soil, the improvement of the manufactures, the payment of taxes, the maintenance of the Protestant Church, while they are defending the empire in the army, and maintaining its ascendancy by sea, are they to be the "*hewers of wood and the drawers of water,*" and yet be contented and satisfied? Surely this is what no reflecting statesman can expect; it is a state of things which nothing but imperative necessity can authorize. That such has existed may be admitted hypothetically; that it does now exist, or could be reproduced in the present conformation of society, and under the regulations which should accompany a change, is what (if the foregoing statement is correct) appears to be totally inadmissible.

It is the recollection of the bloody deeds which reciprocally sullied and disgraced the religious contests of our ancestors—deeds, in which the Protestant and Catholic, and the intermediate supremacy of the Sovereign, alike bore their part of infamy, that now obscures and misleads the general mind. If such scenes were to be renewed, is it the trifling advantage of some distant political influence which could affect the issue of the struggle? Have not the papal armies been driven, like chaff before the wind, by Catholic soldiers? Has not the Pope himself been besieged in his capital, chased from his dominions, dragged a captive into foreign countries, by troops who prostrated themselves before him, as the representative of our Saviour?—Whence, then, is the dread that the British Catholics, when coequal with the rest of their fellow-subjects, would remain embodied in opposition to their sovereign and their country; would range themselves under the banner of a foreign potentate, whose temporal authority they deny; and setting at nought the example of their brethren of every other nation, would support his interests at the sacrifice of their own prosperity and their country's rights? Neither is it in the nature of mankind to do so, nor could it be the policy of the popes to encourage it. The Catholics, when relieved from the shackles which now

oppress them, will be influenced by the different passions and interests which alike direct and guide the rest of their fellow-subjects; unconnected, unembodied by such grievances as now bind them to each other, they will pursue the various objects of their ambition by the different paths which seem most likely to secure to them the attainment of their desires; they will seek their own in the general prosperity of their country.

That perverted minds should be found amongst them, as in every other class of persons, building their hopes on anarchy and disturbance, is unfortunately but too much to be apprehended. Where is the spot on earth so blessed as to be without them? Do they not now exist, and are they not backed by the general discontent of five millions of the King's subjects? And if the cause of this dissatisfaction was removed, would not the means of injury be taken from them, and their hostility neutralized? It is upon the basis of those laws which separate the great body of the people from the state, that their empire is sustained: take from them this foundation, and their mighty fabric will crumble into dust.

There is one great and distinguished body in the state, transcendent for learning, morality, and true religion, pre-eminent in every virtue which can adorn mankind,—the clergy of the Church of

England. It is the duty of this body to defend the temporal as well as the spiritual interests of the Church committed to its charge; and if danger to either was to be apprehended from the emancipation of its Catholic fellow-subjects, every sound patriot should go along with it in its opposition. But if this measure is coupled with additional security to the church establishment; if it is calculated to relieve it from the active hostility of the great body of the people of Ireland; if, in conciliating its rights and immunities, it is carried into effect mainly with a view of more firmly establishing its supremacy, where can any further cause for its hostility be discovered? To the tenets of the Protestant faith, of that Church which (founded upon the Gospel of Christ, as transmitted to us by his Apostles) is established in our happy country, the religion of the state, the groundwork of its pre-eminence, in true morality and in virtue, there surely can be no apprehension of danger from the unfettered toleration of a different persuasion. The Church of England seeks not by the civil power to establish its ascendancy; the terrors of the inquisition would ill accord with the mildness of its precepts. For too long a period these principles were obscured by the sanguinary laws established through political animosities; but these laws were opposed to the character of that Church which they pre-

tended to come in aid of; "the very recollection "of them is a burthen to us."

The clergy of the Church of England would unanimously reject the idea of any compulsatory conversion: it is not, therefore, with the view of gaining proselytes that they would resist the removal of the civil disabilities under which the Catholics are labouring. They will regret, in common with every other patriot, that theirs is not the only religion of the people; that a persuasion which they conscientiously believe to be in opposition to the doctrines of our Saviour, should still hold its sway over a large portion of their fellow-subjects; but they know that oppression and penal laws (even if they were disposed to try them) have been found futile in the attempt to change this state of things; that the Church is now established by the laws of the country, and that the concession of the civil privileges required by the Catholics would in no way bear upon it, or affect its continuation. To the attainment of a substantial guarantee of the temporalities of their Church, and of the political rights and privileges they now enjoy, they can alone come forward as a body, to act upon this question. To secure these objects, alike conducive to their comfort and to the prosperity of their country, the measure of emancipation is recommended; in that spirit it must be carried into

effect, and with that view it has an undoubted claim to the support of this body, which till now has opposed it.

In winding up the arguments which have appeared to bear upon this part of the subject, it is impossible not to notice the reasoning of those who are opposed to all concession to the Catholics, and who state that the great body of the professors of that religion are not in reality interested in the attainment of the objects they are laying claim to. But is it in the nature of man, or of any set of men, to bear with patience,—to have a mark set upon them of jealousy and suspicion,—to be held up to mankind, as less worthy subjects, as of an inferior cast, as less sincere and devoted patriots? Would the very persons who produce these arguments submit to such a distinction, if applied to themselves? Would they, if, in the conscious rectitude of their own intentions, they were thus branded with opprobrium in the midst of those whom they felt to be in no way superior to themselves, submit and be silent? And why should the Catholic be supposed to be less acute in his feelings, less dignified in the maintenance and vindication of his reputation? Has he not for centuries been cast out of the pale of the constitution which he is called upon to defend? While he was weak, and in silence groaned beneath his chains, has he not

been reproached with indifference? Now that he is strong, is he not taunted with a rebellious spirit, because he seeks to break these shackles which have oppressed him? Can he, under such circumstances, be supposed to be insensible to a measure, which is to restore him to an equality with his fellow-subjects, and to independence? There surely can be no sentiment in the mind of man less liable to be taxed with artifice.

If the Catholic is not sincere in what he asks for, he must be despicable beyond all that has ever been known of the very outcasts of society; he must be lost to every sentiment of honour and of self-esteem. That this is contrary to the truth, is too notorious to be argued upon; let us therefore hope that in justice, as in policy, he may at length be re-admitted into the society, from which he has, for too long a period, been removed. May his return to it be accompanied with every blessing, which a sincere and long-looked-for reconciliation can shower down upon a generous and loyal people: may the recollection of our mutual wrongs be buried in the general satisfaction of having granted and received a boon which alike is hallowed by justice and generosity!

It now, Sir, only remains for me to communicate the letters from Pope Pius VII., and the late King of Naples, which have already been re-

ferred to, and which were occasioned by the non-presentation of the census and hackney, which is claimed by the papal See as a yearly tribute, from the Sovereigns of Naples *. These letters are of the greatest interest, as being irrefragable proofs both of the pretensions of the Holy See, and of the resistance which a most religious Catholic Sovereign has felt it his duty to oppose to them. They are the evidences from which the altered character of that authority, by which the world was once bowed down and humbled, may clearly be discovered. When the lofty pretensions of the Gregories and the Innocents are cited, as those by which the policy of the Court of Rome is still directed, the language of the King's letter will prove how different are the feelings of those upon whom these pretensions might be expected to have any effect, and by which alone their power can be estimated. The civilization of the world has crushed that mighty usurpation; and the circle of its influence, even over its most devoted followers, is brought within the limits of its spiritual administration.

The jurisdiction of Rome has nearly receded to its ancient prerogatives; and the able answer which is now given, and which is understood to

* For an account of this right, see the memoir of the Papal Investiture, in Appendix G.

to be from the pen of the Chevalier de Medici, (although it was delivered to the Pope in the hand-writing of the King,) is the most satisfactory illustration of this most important fact.

With the communication of these documents, I close this letter; and, with an anxious hope that it may not be considered by you as an intrusion, and that it may in some degree elucidate some of the important questions of which it treats, I beg you to believe me,

SIR,

With the greatest respect,

Your most obedient

Humble Servant,

THE AUTHOR.

London, February, 1826.

APPENDIX.

APPENDIX.

A.

MANIFESTE DE L'EMPEREUR JOSEPH*.

JOSEPH, par la Divine Clémence élû Empereur des Romains, toujours Auguste, Roi de Germanie, Hongrie, Boh me, &c. &c.

Il est connu à tous, et le succès de ces derniers tems montrent avec combien de soin, de travail, et de frais, nos ennemis ont été chassés d'Italie, et comme la liberté de cette province, que la violence des François avait envahie, a été heureusement délivrée de leur joug, par nos armes victorieuses et celles de nos alliés.

Cependant nous sommes aujourd'hui contraints de nous plaindre avec un juste sentiment de douleur, de ce que les ministres de la Cour de Rome, ou instigués par des autres, ou dans la confiance d'en retirer quelque avantage, se sont laissés aller à la hardiesse, au grand étonnement de l'univers, et au scandale de la république Crêtienne, de mêler les armes spirituelles dans des intérêts purement mondains, et de rendre public un écrit imprimé, de la teneur suivante.

* Taken from the History of Cardinal Alberoni, published at the Hague, 1720.

Déclaration de Nullité d'un certain Accord, fait au préjudice du Siège Apostolique et de la Sainte Eglise Romaine, touchant les quartiers d'hiver que les troupes Alemandes ont pris dans le Duché de Parme et Plaisance, &c.

Ayant fait une attentive considération sur la dite déclaration, et sur toutes et chacune de ses clauses, nous ne pouvous n'être pas, entr'autres choses, griévement émus de ce que la Cour de Rome nous dispute hardiment les droits très-anciens que nous et l'Empire Romain avons en Italie, et ceux en particulier que le Duché de Milan a sur Parme et Plaisance, sous prétexte d'un domaine qu'elle s'attribue sur ces villes; étant constant par la pleine foi des historiens, et par les investitures que les empereurs Romains nos prédécesseurs en ont données, et par d'autres actes évidens, que le domaine souverain, et de haute majesté sur les susdites villes de Parme et de Plaisance ne compète qu'à nous, et au sacré empire Romain, et que les légitimes possesseurs du Duché de Milan en reçoivent l'investiture. Certainement on ne sçauroit montrer que ce domaine souverain, direct et de haute majesté, ait jamais été abdiqué par aucun empereur, ou qu'aucun Duc de Milan l'ait pû abdiquer, céder, ou transférer, et beaucoup moins que la Cour de Rome l'ait pû validement usurper, ni que les Ducs de Parme l'ayent pû reconnaître d'elle. Plusieurs livres d'histoire font connaître, et décrivent bien au long, ce que s'est fait sans interruption dans cette matière pour la conservation des droits de l'empire. Et les personnes versées dans le maniement des affaires publiques, sçavent avec quel zéle nos predécesseurs et spécialement Charles Quint,

de glorieuse mémoire, a défendu et protesté de vouloir défendre, même à la fin de sa vie, et par ses dernières paroles, ses droits et ceux de l'empire: étant d'ailleurs assez clair que les droits sont tellement annexés à l'empire, qu'ils ne peuvent en être séparés sans son consentement, et beaucoup moins contre son gré, par quelques bulles des Papes que ce soit, et de quelques menaces de foudres qu'elles soient remplies.

C'a donc été une peine perdue, et digne en quelque façon d'être sifflée, que celle par laquelle les Papes allégués dans la dite déclaration, se sont voulus arroger le jugement dans leur propre cause, et se sont efforcés d'établir par le secours de leurs bulles, des droits tendans directement au préjudice des Tiers. Et certainement on ne peut pas comprendre comme il est entré dans l'esprit de la Cour de Rome, d'écrire que nos milices ont envahi les biens de l'Eglise, sçachant, ou devant sçavoir que les lieux, dans lesquels elles sont entré, sont des fiefs de nous et de l'empire, et qu'on peut exiger des alimens et les choses nécessaires à la vie par un privilège du droit de la nature et des gens, même dans un territoire neutre, alors principalement que cette sustentation a pour effet de déffendre celui qui la fournit, et de délivrer des dangers et domages ultérieurs, dont il est menacé. Lesquelles circonstances se trouvant dans le cas présent, il n'y a personne que ne voit que les canons, les loix, et la raison d'état obligent au soûtien des charges publiques le clergé aussi bien que le reste, puisqu'il s'agit de la défense de son repos et de sa liberté; spécialement en une province dans laquelle, par coûtume ancienne, le commun support des charges publiques, dans l'entretien des soldats

est établi, et que les possessions du clergé de Parme sont si amples, qu'ils surpassent quasi la quatrième partie de tout le Duché. Il a donc paru que les eclésiastiques se rendaient indignes du bonneur de leur état, en montrant leur ténacité et avarice au milieu des plus indigens, et en réfusant à notre commissaire impérial, qui les en sollicitait, de concourir avec les laïcs, et de payer quoi que ce soit avec eux : en s'opiniâtrant dans ce refus avec un esprit refractaire, nonobstant que le consentement du Pape pour ces collectes dans la nécessité et à l'avantage commun eût été réservé dans le traité conclu par notre dit commissaire, non sans une marque illustre de notre respect envers le S. Siège, c'est pourquoi ces manières d'agir et beaucoup d'autres, par lesquelles nous avons modéré notre conduite, étant des témoignages clairs de notre équité et de la manière légitime avec laquelle nous exerçons notre pouvoir impérial, nous ne pouvons concevoir de quelle source sont venues ces censures spirituelles si âcres et si précipitées, qu'on a reportées ci-dessus. Nous avons fait ce que demandaient de nous nos droits et ceux du S. Empire, et nous l'avons fait de la manière que les constitutions de l'empire et leur usage nous prescrit, et qu'a semblé demander de nous le respect particulier avec lequel nous honorons le père commun de la chrétienté, quand il se dépouille de toute partialité ; comme en font foi plusieurs négociations du Cardinal Grimani pour obtenir ce consentement du Pape, quoique superflu, et pour remontrer l'abus commis dans l'emploi trop précipité de l'autorité ecclésiastique.

Nous remarquons très bien des exemples de semblables collectes et charges imposées aux eclésiastiques

par nos ennemis, d'une manière tout-à-fait différente, quoique ces ennemis n'aient d'autre but que de l'Europe, et ne soient dignes d'aucune faveur. Ausquels cependant la Cour de Rome prête aussitôt un consentement, souvent même contre tout droit, et montre en cela, autant d'indulgence et de connivence, que d'animosité et d'oposition, avec laquelle, à la face de tout le monde, elle attaque nous, et les droits les plus clairs de l'empire, par paroles, écrits, et actions; ce qui aurait dès long temps excité en nous des mouvements plus violens, si nous n'avions été retenus par la bonté qui est naturelle à notre maison d'Autriche et par d'autres égards envers l'Eglise universelle. Et nous voudrions encore faire connaître plus long temps notre patience quoique provoquée dès le commencement de notre gouvernement impérial, s'il nous était permis de différer davantage à défendre nos droits et ceux de l'empire, et que nous pussions excuser cette dilation auprès de Dieu et de la postérité, étant obligés à faire ce que nous faisons par les loix divines et humaines, par la droite raison, par le droit des gens et par les autres principes de la justice et de l'équité.

Delà est, que toutes ces choses considerées, nous, souvenant de la capitulation que nous avons jurée, et des constitutions impériales, ayant pris les sentimens de nos conseillers secrets et de tout le Conseil Impérial Aulique, après avoir consulté au-dehors de très habiles théologiens, et des personnes versées dans la connoissance du droit canon et des loix civiles, pour la défense de nos droits et de ceux de l'empire ;

Nous declarons que l'écrit rapporté ci-dessus est d'une nullité évidente, vaine et d'aucune force, et que l'excom-

munication qui y est exprimée, ou si on prétend qu'il y en ait quelqu'une, doit être réputée pour tout à fait invalide, et qu'elle subsiste d'autant moins qu'il est plus evident qu'elle manque des causes essentiellement requises, sçavoir d'un péché mortel, de contumace dans une erreur notable, de la citation précédente des personnes, &c. Et que l'écrit de la Cour de Rome tend, non pas à défendre l'héritage du Seigneur, mais à usurper les droits impériaux sur les Duchés de Parme et de Plaisance.

Et comme selon la pensée des Saints Pères et des Conciles, les censures sont souvent redoutables, non pas à ceux à qui elles sont infligées, mais à ceux qui les infligent; nous remettons à l'estime et au jugement de Dieu, tout-puissant juge de toute chair, et qui sonde les cœurs, de même qu' à celui de tout homme qui ne sera point prévenu de passion, ce qu'il faut croire de ces larmes des eclésiastiques, qui ont les oreilles bouchées pendant que nos ennemis et ceux du Sacré Empire Romain, dans les provinces d'Allemagne et d'Italie, même dans le domaine des Papes, oppriment cruellement et à leur fantaisie les ministres de Dieu et l'Eglise; et commencent seulement à s'élever contre nous et contre le sérénissime et très-puissant Charles III., Roi d'Espagne, contre le royaume de Naples, et contre le Duc de Savoye, lorsque le ciel commence à favoriser notre juste cause, en sorte que le reste de l'Italie, le royaume de Naples et les Pays-Bas ont été miraculeusement delivrés de leurs cruelles et pesantes mains.

Nous déclarons donc, par la teneur de ces présentes, à perpétuelle mémoire de la chose, et nous protestons avec toute l'efficace que nous pouvons, et qu'il en est

besoin, que nous ne pouvons renoncer ou abandonner aucun droit, et beaucoup moins le direct et souverain domaine sur Parme et Plaisance au Siège Romain; qu'au contraire, nous nous réservons et au Sacré Empire Romain fermement et expressément tous et chacun des domaines souverains, qui en ont jamais été usurpés, ou sont encore aujourd'hui retenus, de quelque nom qu'ils soient appelés, et nous les déclarons nôtres dans la forme et manière la meilleure qui puisse être, annullant, abolissant, et cassant toutes les possessions et prétentions illégitimes, excepté celles qui ont été expressément transférées au dit Siège par la bonté et munificence des empereurs, déclarant toutes les autres pour d'autant plus nulles, injustes, et invalides, qu'il est evident que tout ce qu'on prétend d'aliéner et de soustraire publiquement, ou en secret, et par autorité propre, du domaine de l'empire, est sans aucune force, même tout ce qu'un empereur aurait pu aliéner sans y observer les formes requises.

Nous nous opposons encore très solennellement et spécialement à la prétention qu'a la Cour de Rome, de pouvoir, par voie de bulles et de décrets, disposer des droits, d'un tiers, et des biens temporels, qui ne lui apartiennent point en propre; les bulles et décrets n'étant point valides en ce genre, et ce pouvoir n'étant aucunement reconnu de quelque nom ou titre qu'on se serve pour cela, et ne pouvant et ne devant obliger, en aucune manière, nous ni l'Empire Romain: parce que nous n'admettons et ne pouvons tolérer aucun pouvoir dans la Cour de Rome, qui ait la force d'annuller ce que nous disposons et ordonnons de droit et en vertu de notre autorité Impériale; ne doutant nulle-

ment d'être incontinent avoués et assistés en ceci par l'assemblée de tout l'empire en général, et en particulier de tous les électeurs, princes, états, vassaux et sujets de l'empire, de leur conseil et secours effectifs, où il en sera besoin, et où la conjoncture des affaires le demandera.

Donc, de nouveau, de propos délibéré, après un meur conseil et avec la plénitude de notre pouvoir impérial, nous déclarons publiquement par ces présentes, que nous nous oposons, nous abolissons, nous cassons, et nous protestons comme dessus de la maniere la plus solennelle qu'il se peut, contre tout ce qui est exprimé dans l'écrit raporté, tant contre la matière, au préjudice de nos droits, et de ceux du saint Empire Romain, que contre nos ministres, commissaires, soldats, et toutes autres personnes, desquelles l'écrit peut avoir voulu, pû, ou entendu parler.

Nous défendons de même à tous et à chacun des eclésiastiques et seculiers vassaux de nous et de l'Empire, à nos ministres et sujets, soit dans les terres de l'Eglise, soit dans les Duchés de Parme et Plaisance, ou habitant quelque part que ce soit, sous peine de notre très-griève indignation et celle de l'Empire, sous la confiscation de tous ses biens, et encore de peine corporelle, d'avoir aucun égard en quelque que ce soit à ce qui est contenu dans l'écrit raporté; commandons au contraire le plus étroitement que nous pouvons, d'obéir, comme ils sont tenus constamment, à nos commandemens et à nos ordres; leur promettant réciproquement de les faire jouir des effets de notre protection et clémence. Devant faire avertir pour cet effet dans les formes dues le Duc de Parme, à ce qu'il ne reconnoisse pour les Du-

chéz de Parme et de Plaisance aucun autre domaine que le nôtre et celui de notre dit très-cher frère le Roi d'Espagne, comme étant seuls seigneurs et possesseurs légitimes du Duché de Milan ; étant d'ailleurs évident qu'il est tenu de répondre à nous de nos droits et de ceux du S. Empire Romain.

Nous prions enfin le tout puissant et très-juste Dieu de vouloir inspirer à tous une ardeur et sincère amour d'une honnête, fidèle, et constante paix et concorde, et de nous donner la grace de défendre constamment et virilement tout ce qui appartient à nous et au Saint Empire, protestant de tenir de la divine Majesté, avec la plus humble reconnaissance tout ce qui est des droits de l'Empereur et de l'Empire, et protestant par cette publique déclaration, protestation et reservation, que nous renouvellons encore, que touchant les biens et les droits temporels de l'Empire, personne ne peut rien prétendre, occuper, ou retenir légitimement, si ce n'est ce qui en a été aliéné avec le consentement exprès de nos prédécesseurs, et en particulier aucun domaine temporel du dit empire. Tout ce qui a été fait au contraire, ou réputé avoir été fait, devant être tenu pour non fait, et d'aucune force, et nous y opósant en vertu de ce diplome, souscrit de notre main, et muni de notre sceau impérial, afin que notre oposition ait dès à présent, et à tous les siècles à venir, toute la solemnité et la force qu'elle peut avoir.

Donné en notre ville de Vienne, ce 26 du mois de Juin, l'an 1708. De notre Royaume des Romains le 19, de celui de Hongrie le 22, et de Bohème le 24.

JOSEPH.

B.

ANSWER OF THE EMPRESS MARIA THERESA TO POPE CLEMENT XIII.

His pontificiis litteris respondit Imperatrix, se e pontificiis litteris maximum percepisse dolorem; sicut enim summopere Pontificem veneratur, ita non potest quin e Pontificis mœstitiâ mœrorem percipiat; neminem se magis optasse ne evenirent, quæ evenerunt, et ne reges ingratum aliquid Pontifici facerent; se non recusaturam esse, quin adhiberet operam suam pro pace firmandâ, si religioni aliquod immineret periculum.

Sed cum religio nullo sit in discrimine, et concertationes de juribus ad principatum spectantibus sint, quarum unusquisque est solus judex, neque possunt ab alio principe discuti, colliget Pontifex, esse valde arduum et difficile quod Pontifex ab illâ expetit.

Tamen, ut pro potest, meliore modo Pontificis fiduciæ respondeat, temporum, circumstantiarum, casusque animadversionumque, quas ipsa habere debet, capitumque præcipuorum regiminis suarum ditionum ratione habitâ, amicè adhortabitur principes, ut Pontificis majori dolori parcant.

Obsecundet Deus his conatibus, quos Imperatrix suscipit, ut ostendat quantum summo Ecclesiæ Pastori adhæreat. Hinc ille saltem colliget, quantum cultu, quo illum prosequitur, quantum studio pacis moveatur.

Deum orat, ut Pontifici causas doloris imminuat, ab eoque Apostolicam benedictionem petit.

Datum Vindebonæ, die 11 *Aug., An.* 1768.

C.

MONSEIGNEUR,

JE n'ay pu me rendre chez votre Altesse royale à la suite de la lettre qu'elle m' a fait l'honneur d'écrire, parce qu'elle est sortie de bonne heure ; ce soir je n'aurais pu l'entretenir, à cause de sa partie : d'ailleurs j'ay regardé comme un devoir de mettre par écrit ce que j'ay cru qu'elle me permettrait de lui dire. La matière est si importante, que je dois désirer qu'il reste toujours sous les yeux de votre Altesse royalle un témoignage fidelle du zèle et de la vérité avec laquelle j'ay pris la liberté de lui parler, et de chercher à lui inspirer ce que j'ay cru de sa gloire, et du bien de l'état, dans les opérations du gouvernement.

Votre Altesse royalle a le pouvoir de changer demain les ordres qu'elle pourrait donner aujourdhuy : elle n'a qu'à commander ; elle sera obéi. La douleur qu'on en pourrait quelquefois légitimement ressentir, en suivant d'abord avec respect ses ordres, ne sera pas pour son compte ; elle ne devra pas même lui être désagréable, si elle est persuadée qu'on l'aime, et qu'on la vénère, autant qu'on est attaché à sa gloire et à sa dignité. Mais elle pourrait trouver répréhensible, qu'on gardât le silence, quand on peut avoir quelque chose de juste à lui représenter.

Votre Altesse royalle désire que la Junte fasse les changemens suivant un plan qu'elle a eu l'honneur de

mettre sous les yeux, et qu'elle a aprouvé après les réflexions qu'elle daigna me communiquer.

Ces changemens seroient :—

1°. Qu'on laissât les Augustins de Parme.

2°. Qu'on laissât les Grands et les Petits Carmes de Parme.

3°. Qu'on laissât le couvent du Grand St. François de Parme.

4°. Qu'on laissât les Minimes et les Servites des Parme.

5°. Qu'on l'on otât les Dominicains de Zibello, et que l'on conservât ceux de Fontanellato, pour avoir soin de ce fameux sanctuaire.

Voicy, Monseigneur, ce que je vous supplie humblement d'écouter.

I. *Augustins de Parme.*

1°. Il y a trois couvens de cette religion dans l'Etat, et il n'y a pas assez de religieux pour les soutenir.

2°. Le couvent de Plaisance est considérable, et il est attaché au Palais, article essentiel pour la conservation de cette église, qui dans un cas où la cour pourroit aller à Plaissance et où une necessité inattendue se présenteroit, offriroit une habitation pour les princes, comme cela est arrivé; je crois même que la Princesse d'Armstadt y habite à présent.

3°. La conservation du couvent de Luzzara a paru indispensable, parce que dans tout ce territoire et ses campagnes, il n'y a qu' une paroisse, et que les ecclésiastiques manquent.

4°. On a pensé à soustraire le couvent de Parme, parce qu'il a toujours été une maison remplie d' intrigues,

de désordres contre l'esprit de l'institution religieuse, et de tracasseries : cet esprit y subsiste encore.

6°. Enfin l'abolition des moines dans cette maison, n'y fera pas abolir le culte religieux, et la dévotion de l'*Ange Custode* elle y sera conservée, ou par les religieux qu'on y mettra, ou d'autre façon, ainsi que la Société des Dames qui en forment la congrégation.

II. *Grands et Petits Carmes.*

1°. Cet ordre, Monseigneur, est presque tout composé d'étrangers, c'est sur ce point qu'est principalement fondé l'édit célèbre que vient de donner votre Altesse royalle, édit qui a mérité les éloges de toute l'Italie et l'admiration de M. de Janucci, qui a écrit avec les louanges les plus flatteuses sur cet article, de la part du roy son maître.

2°. Ces religieux ne vivent que pour eux, et leurs revenus étoient consacrés à l'hôpital.

3°. Les vues de votre Altesse royalle ont été de diminuer, en tout ce qu'il serait possible, la classe nombreuse des religieux, et elle aurait désirer, s'il avait été possible de suppléer à la hiérarchie religieuse par la classes des prêtres séculiers, si le nombre de ceux cy l'eût permis : et en effet c'était faire le bien de l'état ; mais irrévocablement vous avez prononcé, et fulminé votre édit contre les étrangers; toute l'Italie y a applaudi. Votre Altesse royalle veut-elle détruire un plan si beau, et qui diminuoit, tout d'un coup, si à propos, et si considérablement, le nombre des moines dans l'état ?

III. *Le Couvent du Grand St. François.*

1°. J'oze assurer à votre Altesse royalle, que les moines de ce couvent ont toujours été les plus désor-

donnez et les plus scandaleux de l'état, que c'est, et ç'a toujours été un repaire d'hommes très licentieux. Nous en sommes bien informés dans notre secretairerie. On ozerait presque dire que ce brigandage est à la honte de la religion.

2°. Ils sont au rang des Mendians; mais ils ont de quoy vivre, et ne sont pas dans le cas de Mendians nationnaux qu'il faudra conserver, en fixant par la suite leur nombre à proportion du nombre d'ouvriers qu'il faudra pour le devoir apostolique.

3°. Le culte, et la dévotion qu'on a pour St. Antoine et St. François d'Assise, seront continuez dans un autre couvent, où l'on fera avec édification la translation des images de ces saints.

4°. Enfin, Monseigneur, les biens de ce couvent qui nourissoient les moines peu réguliers, doit dans le projet devenir les secours des pauvres, bien préférables à de tels religieux.

IV. *Minimes et Servites de Parme.*

Il étoit décidé, Monseigneur, que les Minimes devront rester à Parme.

1°. Quant aux Servites, il n'y a pas assez de religieux pour fournir l'observance dans les couvens de Plaisance et Guastalla, où il était decidé de transférer ces moines.

2°. Il y a une cérémonie de dévotion célébrée dans ce couvent; c'est la fonction de Notre Dâme des Sept Douleurs: elle sera conservée icy à Parme par les religeux ou religieuses, qu'on y transférera avec la même édification et le même éclat.

V. *Oter les Dominiquains de Zibello, conserver ceux de Fontanellato.*

1°. Les Dominiquains de Zibellò seront ôtez.

2°. En ôtant ceux de Fontanellato, on auroit bien pensé à conserver dans cette église, où dans le couvent, le culte et la dévotion qu'on rend à son sanctuaire. Elle devait y être conservée par des ecclésiastiques chapelains séculiers qu'y auroient mis les évêques: car, Monseigneur, c'est pour la Vierge que l'on va à cette église en pellerinage, ou en dévotion, ce n'est pas pour les quatre Dominicains qui y sont; et il a paru à la Junte que, suivant les justes et affectueux principes de votre Altesse royalle, et la maxime que saizissent aujourdhui tous les états, il était juste et préférable que les ecclésiastiques séculiers et nationnaux eussent le soin de ce sanctuaire. Ce sont autant de secours pour vos sujets et leurs familles; et plus vous multiplierez, Monseigneur, ces moyens, plus vous encouragerez l'ordre de la prétrise à s'augmenter dans l'état: elle s'élevra dans le sein des familles de vos sujets, qui seront soutenus ainsi légitimement par les salaires que leur fourniront à juste titre les églises, objet que votre Altesse royalle a tant loué.

Je suis fâché, Monseigneur, que votre Altesse royalle se soit allarmé de la précipitation, qu'on a pu lui dire, que la junte donnerait à l'exécution de ses ordres. Je dois lui rendre compte, qu'on n'y procède qu' avec mesure. De tout le nombre d'étrangers religieux qui sont dans l'état, on n'a encore signifié qu' a cent trente cinq de partir en des tems divers; on s'est réduit à ce petit nombre pour donner lieu et tems aux nationnaux qui sont hors de l'état d'y revenir: sans cette sage pré-

voyance, on auroit donné l'ordre général. Cette marche de 135, distribuée dans tous les couvents, est modérée; 4 icy, 3 là, 6 autre part, ne dérangent en rien le service divin: on y a pensé, ainsi qu'aux fonctions de la Semaine Sainte. On a pourvu, et l'on pourvoyera, malgré l'astuce et l'artifice des moines, à ce que le service divin ne soit interrompu nulle part: par exemple, aux Dominiquains, ils sont, en comptant les frères, 35 de famille: six ont l'ordre de partir, il en restera donc encore suffisament, et enfin on y pourvoyeroit, Monseigneur; car la Junte n'a pu, ni dû perdre un moment de vue la manière dont devait être fait le service divin pour votre Altesse royalle.

Je sçais, Monseigneur, combien tout cecy intrigue les Dominicains: ils ont parlé, écrit, représenté, et fait représenter par eux ou ceux qui leur sont dévoués, mot pour mot, ce que votre Altesse royalle me fait l'honneur de m'écrire. C'est un ordre ambitieux, qui va tout mettre en œuvre pour éluder les mesures du gouvernement: ils ont leurs manœuvres, et leurs serviteurs: moy, qui ne connais pas les détours quand il s'agit de votre service, et de vos ordres, et de votre gloire; j'opposeray à toutes ces brigues et des couvens, et du palais, tant que j'y resteray, la fermeté, le zèle, et la vérité.

Au reste, Monseigneur, on conserve tous les Mendians; les étrangers ne partiront qu'à mesure que reviendront les nationnaux. En général les offices, les messes, les obligations seront conservées, et remplies par ceux qui restent, ou par ceux qui suppléeront; et en faisant l'avantage de l'état, et des pauvres, on ne négligera pas un moment les devoirs sacrez qu'on a à remplir.

Le calcul de ce que produira l'exécution de l'édit solemnel et si respectable de votre Altesse royal a été fait. 300 moines étrangers, je suppose, qui partiront de l'état, en les calculant à 1700, ou 1800, feront à peu près cinq cent mil livres ; il faudrait difalquer les nationaux qui viendront dans l'état.

Voicy les objets sacrez, Monseigneur, que vous avez à remplir pour les pauvres :—

Il faut à l'Hôpital, par an. . . 200,000

Il faut songer à en payer qu'il doit plus de 350,000.

Dans le moment où je parle, Monseigneur, il n'a pas d'argent pour un mois : il est près à manquer tout à l'heure. Il y a trois cent malades presque toujours.

La misère de ce lieu fait qu'ils sont mal servis, et abandonnez. Il y à la congrue des curez à fournir, elle est par an de 150,000

C'est vous, Monseigneur, qui les payez depuis deux ans ; cela n'est pas juste. On a projetté l'établissement d'un albergo à Parme, d'un semblable à Plaisance; quelque lieu de retraite et de réfuge pour tant de malheureux orphelins, et orphelines abandonnées.

Voyez, Monseigneur, je vous en conjure, où va nous précipiter le moindre changement dans le plan que vous avez daigné signer, et les ressources que l'on va perdre. J'oze vous dire, Monseigneur, que l'édifice est renversé, et que ceux qui sont bien aize de voir l'humiliation du gouvernement, vont triompher ; mais la misère de votre peuple, qui est affreuse, ne fera qu' augmenter. On avait pensé, Monseigneur, dans la Junte à fixer l'âge pour les novices religieuses, et pour les professions. Après y avoir travaillé, on vouloit proposer à votre Altesse royalle celui de dix neuf ans

pour la profession; et de vingt ans pour l'émission des vœux. Enfin, Monseigneur, jamais on n'a tant travaillé, et médité plus sagement sur un objet qui pût intéresser davantage l'honneur de la religion, et du règne de votre Altesse royalle; et j'oze dire que le tribunal n'a rien fait, qu'après avoir tout mûrement pesé, tout combiné, tout balancé, et tout mis sous mes yeux, parcequ'il sait la confiance dont vous m'honorez, et que je crois n'avoir jamais trahie.

Monseigneur, j'ay eu, et je n'ay en vue que le bien de l'état et la gloire de votre Altesse royalle. Je crois que les opérations qu'elle a ordonnées, viennent de faire depuis quatre ans le *lustre du premier* age de son gouvernement: si elle daigne se rappeller que l'Italie et l'Europe retentissent des éloges de sa fermeté et de sa sagesse, elle en tirera la conséquence qu'on a été plein d'amour pour sa personne sacrée, et pour sa gloire. Je la supplie de se rappeller que si dans cet instant elle varie, ou elle chancelle dans les résolutions qu'elle a prises, les ennemis de sa gloire artificieux et attentifs vont présumer qu'ils trouveront mil momens dans sa vie où sa faiblesse succèdera à sa fermeté. Vous suivez une carrière, Monseigneur, où marchent à présent tous les princes catholiques, et les rois de votre maison. L'Italie, qui vous loue, va être attentive à vos démarches. La moindre contrariété, la moindre inconséquence, va l'ettonner. Et la populace des moines, et leurs suppôts qui cherche à vous environner, va profitter des moindres instans, où elle vous verra varier, pour tout espérer, et tout entreprendre à la honte du gouvernement, qu'elle sera bien aize de voir humilié, et confondu. Il y a quinze jours, Monseigneur, que je

sçais que des religieux avoient assuré que vous réfuseriez de signer les règlemens qu'on vous présenteraient. Ils l'espéroient; ils vouloient donc préparer sourdement des chemins pour y réussir : j'en ay été averti de plus d'un endroit. Enfin, Monseigneur, l'édit de votre Altesse royalle a eu autant d'éclat que de suffrages. Je la supplie de le soutenir. Voicy un moment critique, où il est important à sa dignité qu'elle ne mollisse pas un instant : cette fermeté va faire évanouir les cabales que je vois se former ; si elle cède, tout est perdu. Votre ministre va perdre sa considération et sa force ; cette defaitte ira et courra sourdement de bouche en bouche : les religieux, et tout ce qui est bien aize d'intriguer à votre cour, sont aux aguetz dès ce moment. Vos ministres, Monseigneur, dans la vie laborieuse qu'ils mènent, ont besoin de tout ce qui peut soutenir leur courage pour travailler avec quelque succez à votre gloire, et au bien de l'état : s'ils sont abandonnez un instant ; si votre défiance prend la place de la confiance que vous leur devez (s'ils la méritent), leur vie sera infortunée ; ils auront la confusion de vous être inutiles. Ils voyent approcher le moment où tout va s'unir, et se conjurer contre eux : que leur resterait-il à faire, Monseigneur ? une seule démarche ; celle de se jetter à vos pieds ; de vous demander la permission de s'éloigner pour n'être pas les témoins, et peut-être l'objet de la persécution publique ; et aller dans un coin, mêler à leur douleur leurs vœux pour la conservation des jours précieux de votre Altesse royalle.

Je suis, avec un profond respect, Monseigneur, de votre Altesse royalle très humble et très soumis et fidèle serviteur, et sujet, DU TILLOT.

Parme, ce 5 Mars, 1769.

P. S. Je prie votre Altesse royalle de lire avec indulgence un écrit fait très à la hâte. Elle a la bonté de me dire qu'elle a instruit Monsieur de Keratio de ce qu'elle me faisait l'honneur de m'écrire. Si elle daigne lui montrer ce que je prends la liberté de lui répondre, je crois qu'il y trouvera le langage de l'amour, du respect, et de la vérité, et qu'il lui parlera lui-même ce langage.

Je suis bien aize de la grace que V. A. R. lui a fait obtenir. Je crois qu'il est bien que demain V. A. R. le confie à M. de Revilla avant que ce soit public.

Au reste, Monseigneur, j'exécuteray vos ordres aussitôt que vous aurez lû mon mémoire, si vous n'en estes pas content *.

* The above letter is preserved in a collection of papers belonging to Bodoni.

D. *

(Copia.)

Beatissimo Padre.

Ero io nella mia tenera età quando accadettero le dissensioni fra la corte di Roma, e quella di Parma, le quali obbligarono i miei grandi parenti, i miei amorosi Padri, i miei naturali protettori, a dimostrarsi tali per contenere, e sedare il fuoco, che per disavventura erasi acceso contro le vere e sante intenzioni del Romano Pontefice, di cui lo Spirito Santo fece Vostra Santità degnissimo successore. Mi ricordo, che non ostante i miei pochi anni, non fui insensibile a quei disgusti, e con la età è andato crescendo il mio sentimento; molto più però con le prove che tengo, che V. B. mi ama paternamente, e s'interessa di cuore ne' miei beni spirituali, e temporali, ed in fine colle sue estimabili dimostrazioni, che mi assicurano disapprovarsi da Vostra Santità, nel suo retto e pacifico animo, la condotta, che produsse cotanto sensibili effetti; anelando il suo spirito di pace, e di paterna carità all' unione ed intima concordia con quelli che hanno l' onore di essere suoi figlj più distinti e fedeli. Io so dal mio ministro, il Marchese De Llano, quanto giubilo mostrò Vostra Santità con la notizia di avermi il cielo dato un successore, e con l' ultima notoria grazia da me dovuta a' gloriosi miei avolo e zio; e mi costa che V. B. scrisse loro, aggradendola come propria. Vostra Santità mi ha data di poi una dimostrazione preziosa nelle sue particolarità; quali maggiori prove di considerazione, e di soddisfazione insieme tra padre e

* These letters between the Duke Ferdinand and the Pope are taken from a work published at Parma, in 1774.

figlio! Quindi, Santo Padre, tutto questo ha commosso il mio cuore, e pieno di gratitudine e di confidenza ne' sentimenti pacifici di V. B., mi sono fatto animo a dare un passo, che desidero sia bene ammesso da miei grandi parenti, che gradisca a V. B., e mi mostri a' suoi occhi riconoscente ed amoroso figliuolo; acciocchè con maggiore facilità nella corrispondenza, mi continui le sue grazie, e le sue benedizioni. Scrivo a S. M. Cattolica, a S. M. Cristianissima, a S. M. Siciliana, supplicandole per l'amore che mi portano, di voler generosamente ritornare all' antico stato quelli di Avignone, Benevento, e Ponte Corvo, affinchè si dimentichino affatto i menzionati disgusti, dandosi per soddisfatti di tante dimostrazioni di affetto, che io debbo a Vostra Santità, e delle disposizioni del saggio suo governo, incamminate a regolare pacificamente tutte le cose con la disapprovazione delle passate inquietudini, e di quanto si opponga a questo sistema proprio del padre comune dei Cristiani. Spero che riceveran bene i tre monarca, e che gradirà loro insieme la mia intercessione, al solo titolo di essere io stato l' occasione del loro giusto impegno. Io sarò felice, se vi adempiano le mie intenzioni; per lo che imploro da V. Beatitudine la sua santissima benedizione sopra di quelle, e sopra quante altre mi conducano da questa alla vita eterna. Nostro Signore guardi la santissima persona di vostra beatitudine al buono e prospero reggimento della sua universale chiesa. Parma, 6 9bre. 1773. Di Vostra Santità, Umilissimo e divotissimo figlio, che bacia i suoi santi piedi e mani.

(Segnati) FERDINANDO.

GIUSEPPE AGOSTINO DE LLANO.

Dilectissimo in Christo Filio nostro, Ferdinando, Regio Hispaniarum Infanti,

Clemens Papa XIV.

Dilectissime in Christo Fili noster, salutem et apostolicam benedictionem. Incredibilem sanè lætitiam cœpimus ex amantissimis litteris tuis, omnique in nos amoris, pietatis, ac filialis observantiæ significatione plenissimis. Cum te semper mirifice, ac singulariter dilexerimus, tuasque res omnes perinde ac nostras paterno summo studio prosequuti simus, nihil profecto accidere nobis jucundius a te potuit, quam hujusmodi amori in te nostro eam nunc a te reddi vicem, qua eximia tua in nos voluntas præclarè perspicueque constare posset.

Plurima sæpe, clarissimaque ad nos ejusdem tui in nos animi delata sunt indicia, quibus magis in dies ad amo-

Al Dilettissimo nostro Figliuolo in Cristo, Ferdinando, Reale Infante di Spagna,

Clemente Papa XIV.

Dilettissimo Figliuol nostro in Cristo, salute, ed apostolica benedizione. Superiore ad ogni credere si è il giubilo di che ci ha l'animo ricolmato l'affettuosissima vostra lettera, ripiena delle più significanti maniere di amore, di tenerezza, e di filiale considerazione per noi. Avendovi noi amato sempre con parzialissimo, e singolare attaccamento, e con paterna somma premura in tutte le cose vostre essendoci interessati egualmente, che se nostre fossero state; Noi al certo non potevamo aspettarci da voi niente di più gradito, quanto il rendere, siccome ora fate, al nostro amore un contraccambio, che appalesi ben chiaro il grande affetto vostro verso di noi.

Sovente di così grande vostro affetto per noi avuti abbiamo argomenti moltissimi, e chiarissimi, i quali

rem tui, tuæque pietatis, ac religionis laudem accenderemur. Delata etiam nostræ ad te invicem gaudemus eximiæ caritatis testimonia, vel cum filius tibi in tantâ domo tuarum virtutum futurus hæres natus esset, vel cum depositas esse simultates omnes, teque in gloriosissimorum regum avi, ac patrui, parentum penè tuorum, gratiam receptum fuisse, prolixis ad eos scriptis litteris, tuique studiosissimis, gratulemur.

ogni volta più ci hanno infiammati nell' amarvi, e nell' encomiare la pietà vostra, e la vostra religione. Proviamo altresì del compiacimento per essere giunte a voi pure testimonianze reciproche della nostra singolare affezione, o quando nuovo germoglio della vostra sublime schiatta vi nacque, futuro erede delle vostre virtù, o quando avvanzammo le nostre congratulazioni per essersi tolti di mezzo tutti i dissapori, e per avervi ristabilito nella lor grazia i due re gloriosissimi, l'avo, e il zio, cui poco manca per esservi del tutto padri, e ai quali noi scrivemmo copiose lettere, e parzialissime alla vostra persona.

Quæ cum tibi nostræ in te benevolentiæ magnitudo perspecta fuerit, cum in nos, ac sanctam hanc Sedem accedere pietatis tuæ cumulum voluisti, ut quidquam opportunius, nobisque acceptius ne excogitari quidem potuerit. Interponere te scribis apud eosdem carissimos in Christo filios nostros, avum, patruum,

Questa grande nostra benevolenza verso di voi essendovi ben conosciuta, voi voleste dare un tal colmo a quella venerazione, colla quale riguardate noi, e questa Santa Sede, che non era possibile l' immaginare cosa più opportuna, e di maggior nostro aggradimento. Ci fate intendere di esservi in-

et patruelum tuum, præstantissimos reges, plurima, atque eximia officia, ut offensionum omnium, quæ ante nostrum pontificatum inciderunt, quamquam ex animis sublatæ eæ omnino sint, reliquiæ etiam omnes, ac vestigia tollerentur, ditionesque proinde Avenionis, Beneventi, et Pontis-Corvi ad pristinam ejusdem Sanctæ Sedis possessionem redirent. Majores quidem, ac uberiores causæ, cur immortales tibi gratias habeamus, nullæ nobis esse possunt.

Præclarè profecto nôsti, quanto nos pacis et concordiæ desiderio teneamur, præsertim cum Borbonicæ Domûs amplissimis Regibus, quorum summa in nos, in hanc B. Petri Cathedram, in Ecclesiam universam merita extiterunt; neque jam nobis ulla inesse dubitatio poterat, quin ipsis pro eorum religione, ac sapientiâ, illi nostræ Apostolico muneri convenienti consensionis et concordiæ cupidi-

terposto con molte ed efficaci maniere appresso dei nostri figliuoli in Cristo carissimi, l'avo, il zio, e il vostro fratel cugino, prestantissimi re, affinche di tutte le discordie, che sono accadute prima del nostro pontificato, sebbene già sieno affatto cancellate dagli animi, se ne togliessero tutte le reliquie, e tutti i vestigj; e tornassero quindi i dominj d'Avignone, di Benevento, e di Ponte Corvo all' antico possesso della medesima Santa Sede. Noi non possiamo incontrare nè più fosti, nè più ample cagioni per rendervi grazie immortali.

Avete voi conosciuto benissimo quanto sia il desiderio, che abbiamo della pace e della concordia; specialmente cogli amplissimi Re della Casa Borbonica, gloriosi per sommi meriti fatti con Noi, con questa Cattedra di San Pietro, e con tutta la Chiesa; nè poteramo dubitare in conto alcuno, che essi, attesa la loro religione, e la saviezza loro, non fossero per corrispondere con premura, con

tati, suo essent studio, operâ animique magnitudine responsuri.

Sed nunc, dilectissime in Christo Fili noster, tanto certius in pulcherrimam hanc spem ingredimur, quanto te magis ab illis, et ob necessitudinem, et ob Regias virtutes tuas diligi perspicimus. Hæc ipsa etiam officia fore, vel idcirco iis jucundissima certi sumus, quod tuæ laudis ex hujusmodi egregio facto profectæ sint percupidi; proindè libentissimo animo consensuros inter se putamus, ut nimirum, unde simultatum occasio extiterit, inde concordiæ etiam initia a tuâ singulari virtute deducta existant.

Nos profecto ea esse tua in S. hanc Sedem merita fatemur, ut gratissimas habituri simus opportunitates omnes, quibus tibi singularis paternæ

efficacia, e con grandezza d' animo a quella brama di consentimento e di buona intelligenza, che si conviene all' Apostolico nostro ministero.

Ora però, dilettissimo Figliulo in Cristo, entriamo con tanto maggiore sicurezza in questa bellissima speranza, quanto sappiam di certo essere voi da loro amato non meno in vista della congiunzione di sangue, che delle vostre virtù Reali. Siamo eziandio sicuri che questa medesima vostra interposizione sia per riuscir loro al sommo gradita; essendo eglino bramosissimi di vedervi esaltato per quella lode che nasce da così segnalata impresa; e siamo perciò d' avviso, che essi cospireranno a gara nel fare, che d' onde ebben origine le dissensioni indi abbia principio la pace richiamata dalla vostra singolare virtù.

Vi confessiamo in vero essere tali i vostri meriti con questa S. Sede, che avremo sempre mai in conto di gratissime tutte le opportunità,

nostræ caritatis sensus comprobemus. Interim Deum O.M. precamur, ut suæ gratiæ benignitate virtutes tuas magis in dies augeat, teque veræ felicitatis et gloriæ, quæ nunquam defectura sit, compotem reddat; in cujus auspicium ac pignus, Apostolicam Benedictionem tibi, dilectissime in Christo Fili noster, tuæ præstantissimæ conjugi, vestroque recens nato filio, ac universæ tuæ Regiæ Domui, intimo paterni cordis sensu, amantissimè impertimur.

. . . . . .

Datum Romæ apud Sanctam Mariam Majorem, sub annulo Piscatoris, die 2 Decembris, 1773. Pontificatûs nostri anno quinto.

(Subscriptus)

BENEDICTUS STAIJ.

nelle quali s' abbia da venire a prova con voi dal sentimenti del nostro singolare paterno amore. Intanto preghiamo Iddio Ottimo Massimo ad accrescere viemaggiormente le virtù vostre colla benignità della sua grazia, e a farvi parte di una vera felicità, e di una gloria, che non sia per mancare giammai: siane auspizio e pegno l' Apostolica Benedizione, che col più intimo affetto del paterno cuore diamo amorosissimamente a voi, Dilettissimo Figliuolo in Cristo, alla prestantissima vostra Consorte, al vostro neonato Figliuolo, e a tutta la Real vostra famiglia.

Dato in Roma appresso Santa Maria Maggiore, suggellato coll' anello del Pescatore li 2 Dicembre, 1773. Del Pontificato nostro, l' anno quinto.

(Soscritto)

BENEDETTO STAIJ.

Dilectissimo in Christo Filio Nostro Ferdinando, Regio Hispaniarum Infanti,

Clemens Papa XIV.

Dilectissime in Christo Fili Noster, salutem et Apostolicam Benedictionem. Acceptis amantissimis litteris tuis, quibus plurimam a te positam esse operam nunciasti cum conjunctissimis tibi Borboniis Regibus, et carissimis in Christo Filiis Nostris, ut pristina Avenionis, Comitatûs Venaissini, Beneventi, et Pontis Corvi possessio S. huic Sedi restitueretur, statim tibi, Dilectissime in Christo Fili Noster, eas reddere gratias voluimus, quas deberi tibi ob eximia studia tua, ac singularia in nos Regii tui animi indicia arbitrati sumus.

Nunc vero cum Divino beneficio, ac præstantissimorum Regum magnanimitate, illæ S. Sedis ditiones jam ad nos delatæ sint, iterum nos-

Al Dilettissimo Nostro Figliuolo in Cristo, Ferdinando, Reale Infanta di Spagna,

Clemente Papa XIV.

Dilettissimo Figliuolo Nostro in Cristo, Salute, ed Apostolica Benedizione. Ricevuta l' amorevolissima vostra lettera, nella quale ci avvisaste di esservi grandemente adoperato appresso de' Borbonici Re, strettissimi vostri parenti, e nostri figliuoli in Cristo carissimi, affinche fosse restituito a questa S. Sede l' antico possesso d' Avignone, della Conteà Venesina, di Benevento, e di Ponte Corvo, subitamente, Dilettissimo figliulo in Cristo, abbiamo voluto rendervi quelle grazie, delle quali ci siamo stimati in debito con voi pel grande impegno, che vi siete assunto, e per le singolari testimonianze, che ci avete date dell' animo vostro Reale.

Ma ora che per Divina beneficenza, e per la magnanimità de' prestantissimi Re, ci sono già restituiti que' Dominj della S. Sede; repli-

tras ad te damus litteras, omniaque summa in te gratissimæ voluntatis officia renovamus.

Gaudemus sanè illorum æquitate ac virtute salvum atque incolume Apostolicæ Sedis jus esse præstitum: sed hoc gaudium nostrum eâ etiam causâ augetur, quod tuos apud illos preces valuisse plurimum, et optatissimos habuisse exitus, videamus. De quo et tibi majorem in modum gratulamur, et nos semper memores futuros pollicemur hujus egregii in nos animi tui, cujus tam magni, tamque præclari nobis fructus extiterunt.

Cum tantam itaque virtutem, pietatemque erga nos tuam agnoscamus facile tibi persuadere potes, parem tuis excellentibus meritis paternam esse, quâ te complectimur caritatem, quâque tibi omnia quæcumque ad veram felicitatem, et gloriam valere possunt, exoptamus.

candovi le nostre lettere, vi rinoviamo tutte le più grandi obbligazioni del nostro gratissimo cuore.

Godiamo invero, che il diritto della Sede Apostolica mercè la loro equità, e la virtù loro sia rimasto salvo ed illeso: ma questo nostro gaudio si rende ancor maggiore dal vedere, che appresso loro le vostre preghiere sono state di un efficacissimo valore, ed hanno sortito un esito desideratissimo. Per la qual cosa ci congratuliamo con voi in ogni miglior maniera, e vi promettiamo di ricordarci sempre di questa insigne vostra affezione verso di noi, dalla quale ne abbiam riportati così grandi, e così segnalati vantaggi.

Riconoscendo noi dunque tanta virtù, e tant' affezion vostra verso di noi, vi potete facilmente persuadere, dilettissimo nostro figluolo in Cristo, che sia pari ai vostri eccellenti meriti quella paterna tenereza, colla quale vi riguardiamo, e vi bramiamo ogni cosa, che possa cospirare a rendervi veramente felice e glorioso.

Nostros hujusmodi de te sensus jam tum cùm hic esset, coram a nobis intellexit dilectus filius nobilis vir Marchio Llano, quem plurimum diligimus et ob perspectas virtutes suas, et potissimum ob eam quam tibi navat egregiam operam.

Quod de nobis ille luculenter tibi testabitur, id ut magis nunc magisque confirmemus, Deum O. M. enixè precamur, ut cœlestium munerum largitate prosequi velit apostolicam benedictionem, quam tibi, dilectissime in Christo fili noster, ac præstantissimæ regiæ familiæ tuæ amantissimè impertimur.

Datum Romæ apud Sanctam Mariam Majorem, sub Annulo Piscatoris, die 30 Decembris, 1773, Pontificatûs nostri anno quinto.

(Subscriptus)

BENEDICTUS STAIJ.

Questi sentimenti, che nutriamo per voi, sin da quando si trovò qui, gl' intese da Noi il diletto figliuolo nobile Marchese Llano, che amiamo assaissimo e per le sue conosciute virtù, e sopra tutto per l'ottimo servigio, che a voi presta.

Per confermare ogni volta più ciò, che egli vi testificherà chiaramente, preghiamo con tutto l' ardore Iddio Ottimo Massimo a secondare, colla effusione de' suoi doni celesti, l' apostolica benedizione, che diamo amorosissimamente a voi dilettissimo figliuolo in Cristo, e alla vostra prestantissima reale famiglia.

Dato in Roma, appresso Santa Maria Maggiore, suggellato coll' Anello del Pescatore, il 30 Dicembre, 1773; del Pontificato nostro l' anno quinto.

(Sottoscritto)

BENEDETTO STAIJ.

BEATISSIMO PADRE;

Quando stavo per iscrivere a vostra Santità per informarla della favorevole benigna risposta, che avevo riportata dai tre monarca di Francia, Spagna, e Napoli, miei amati Avolo, Zio, Cugino, relativamente alla mia rispettosa intercessione, loro chiedendo, per l'amore di Padri, che dessero a V. B. la consolazione di veder restituiti gli stati di Avignone, Benevento, e Ponte Corvo, al precedente possesso della S. Sede, in quel punto stesso mi giunge il secondo amoroso breve di vostra Santità, dei 30 Dicembre dell'anno prossimo passato, ripetendomi, consapevole già del felice esito de' miei uffizj, le grazie, che da prima mi anticipò per essi in altro breve dei 2 del medesimo mese. Come si è riempiuto di giubilo il mio cuore con questo fortunato successo, con si pronta generosa condiscendenza de' miei venerati dilettissimi parenti, con la somma bontà del Padre comune de' Fedeli in estimare, ed aggradire un' ossequio del minore de' suoi Figlj! Ottengo per questo un principio di anno il più felice, empiendomi di gioja il pensare, che per lo stesso motivo lo avrà incominciato vostra Santità con soddisfazione, ed allegrezza, e che verrà segnalato in quelli del suo trionfante glorioso Pontificato, che il Cielo voglia prolungare a misura de' miei voti, e desiderj. Adesso non solamente m' interesso nella sua durazione come uno de' Principi Cattolici, ma ancora come uno degli eletti da V. B. per essere distinto ne' suoi favori e grazie. Così mi ha assicurato il mio ministro il Marchese de Llano, che ebbe la sorte di baciare i suoi santi piedi, e di udirlo dalla sua bocca sacrosanta;

ed i fatti posteriori hanno confermata la verità della sua relazione, quantunque non abbisognasse di prove la di lui notoria onoratezza, e capacità; per le cui qualità riporta la commemorazione onorevole che fa vostra Beatitudine della sua persona, e per le quali, e per li suoi buoni servigj, io ne avrò sempre la più grata memoria. Ripeto da ultimo a vostra Santità, che aspirerò finchè viva a conservarmi il suo paterno amore, e benevolenza; per rendermi degno dei celesti doni, che debbono ricadere sopra di me, e della mia famiglia, mediante la sua santa benedizione, che nuovamente imploro. Nostro Signore guardi la santissima persona di vostra Beatitudine al buono e prospero reggimento della sua Universale Chiesa.

Di vostra Beatitudine umilissimo e divotissimo figlio, che bacia i suoi santi piedi, e mani,

(Segnati) FERDINANDO.

GIUSEPPE AGOSTINO DE LLANO.

Parma, 6 *Gennajo*, 1774.

(*Translation.*)

HOLY FATHER,

I was still in my infancy when the dissensions between the courts of Rome and of Parma took place, which obliged my near relations, my affectionate parents, my natural protectors, to shew themselves such, in order to quench the flame which had unfortunately arisen against the true and holy intentions of the Roman Pontiff, of whom the Holy Ghost has made your Holiness the worthy successor. I remember that, notwithstanding my tender years, I was not insensible to those afflictions, and with my age those feelings have increased; and so much the more, from the proofs I possess that your Holiness loves me as a father, and takes a heartfelt interest in my spiritual and temporal welfare; and also from the estimable proofs you have given me, assuring me how much your Holiness disapproves, in your upright and pacific mind, the conduct which produced such sensible effects: whilst you, with the spirit of peace and paternal charity, long for the union and perfect concord of those that have the honour to be your most distinguished and faithful sons. I know from my minister, the Marquis de Llano, what joy your Holiness testified upon hearing that heaven had given me a successor; and at the last eminent favour conferred upon me by my illustrious grandfather and

uncle; and I know that your Holiness wrote to them, expressing the same pleasure as if the favour had been personal to yourself. Your Holiness has since privately given me a more estimable testimony:—what greater proofs of consideration and satisfaction can exist between father and son? All this, Holy Father, has touched my heart, and, full of gratitude and of confidence in the pacific sentiments of your Holiness, I have resolved to take a step which, I trust, will be well received by my relations, will be pleasing to your Holiness, and will make me appear in your eyes a grateful and affectionate son, and that, with greater facility of correspondence, you will continue to me your favour, and your blessing. I write to his Catholic Majesty, to his most Christian Majesty, and to his Sicilian Majesty, entreating them, by the love they bear me, generously to restore to the ancient state those of Avignon, Benevento, and Pontecorvo, in order that the above-mentioned dissensions may be forgotten, shewing themselves satisfied with the many marks of affection which I have received from your Holiness, and with the sage dispositions of your government, which tends peaceably to regulate all things, and at the same time to disapprove past disturbances, and every thing which is opposed to a system, which is truly that of the common father of Christians. I hope that the three monarchs will listen to and accept with pleasure my intercession, if it be solely upon the ground that I was the instigation of so just an undertaking. I shall be happy if they agree to my intentions, upon which I implore your holy benediction, as well as upon all others which may conduct me to eternal life. May our Lord preserve

the sacred person of your Holiness for the prosperous and good government of his universal church.

Your Holiness's most devoted son, who kisses your holy feet and hands,

(Signed) FERDINAND.

JOSEPH AUGUSTIN DE LLANO.

Parma, 6th Oct. 1773.

To Our Most Beloved Son in Christ, Ferdinand, Royal Infant of Spain, Pope Clement the 14*th.*

MOST BELOVED SON IN CHRIST,

We salute you, and give you our apostolic benediction. Beyond all belief is the joy with which our soul is filled by your most affectionate letter, replete with the most energetic expressions of attachment, of tenderness, and of filial consideration towards us. Having always loved you with singular partiality, and having, with fatherly affection, taken in all your concerns the same tender interest as if they were our own, we could not certainly expect from you any thing more pleasing to us than such a return as you make to our love, clearly proving your great affection towards us. We have often been made sensible of your great affection for us, and have thence been encouraged to love you more and more, and to praise your piety and religion. We are also happy that you should have received reciprocal testimony of our singular attachment, both upon the birth of a new branch from your illustrious stem, future heir of your

virtues, and also when we offered our congratulation upon the cessation of all disagreement, and upon your again being admitted to the good graces of the two illustrious kings, your grandfather and uncle, who are almost fathers to you, and to whom we wrote long letters, expressing our partiality to your person. Being so well persuaded of our great fondness for you, you have desired to give such a proof of your veneration for us, that it is not possible to imagine any thing more opportune or more thoroughly agreeable to us.

You inform us, that you have, in the most efficacious manner, interposed your offices with our beloved sons in Christ, the potent kings, your grandfather, your uncle, and cousin, in order that the dissensions which took place before our Pontificate, although already forgotten, should have every vestige of their existence removed; and therefore that the dominion of Avignon, Benevento, and Pontecorvo should return to the ancient possession of the Holy See. We never can have greater or more urgent reasons to render to you immortal thanks. You have well judged how great is our desire of peace and of concord, especially with those great monarchs of the house of Bourbon, illustrious for many meritorious acts towards us, towards this chair of St. Peter, and towards the whole church; nor could we ever doubt but that they, with their wisdom and religious feelings, would coincide most eagerly and generously with that desire of peace and good understanding, which is natural to our apostolic ministry.

Now, beloved son in Christ, we feel these flattering hopes increase in proportion as we know you to be as

much beloved by them for your royal virtues, as by reason of your consanguinity. We are assured that this interposition of yours will be extremely agreeable to them, inasmuch as they are most anxious to see you exalted by the renown which would accrue to you from so signal an undertaking. We are therefore of opinion, that they will be emulous to take such measures as that, from the very source of dissension, should flow that peace which is recalled by your rare virtues.

We confess that such are your merits with this Holy See, that we shall ever seek for every opportunity of proving to you our grateful sentiments and paternal love. We pray the Almighty Sovereign God to increase your virtues by the benignity of his grace, and to bestow upon you true happiness, and a glory which shall never fail. May the harbinger of such be our apostolic benediction, which, with the most fervent affection of a paternal heart, we lovingly bestow upon you, most beloved son in Christ, upon your illustrious consort, upon your new-born son, and all your royal family.

Given in Rome, near Santa Maria Maggiore, sealed with the seal of the *Piscatoris*, the 2d December, 1773, in the fifth year of our Pontificate.

(Undersigned) BENEDETTO SLAIJ.

To our most beloved Son in Christ, Ferdinand, Royal Infant of Spain, Pope Clement the 14th.

MOST BELOVED SON IN CHRIST,

We salute you, and give you our apostolic benediction. As soon as we received your most affectionate letter, in which you informed us of your having taken strong measures with the Bourbon kings, your near relations, and our beloved sons in Christ, in order that the ancient possession of the Contât Venaisin of Benevento and of Pontecorvo should be restored to this Holy See—we immediately, most beloved son in Christ, sought to return you those thanks which we felt we owed to you, for the great work which you undertook, and for the signal proofs you have given to us of your royal soul. But now that, through the Divine beneficence, and by the magnanimity of those powerful sovereigns, those dominions are already restored to the Holy See, we write again, to repeat to you the deep obligations which are impressed upon our grateful heart.

We rejoice, indeed, that the rights of the Apostolic See, thanks to their equity and virtue, remain untouched and respected; but this joy is still the greater from perceiving that your intreaties have had such valuable efficacy with them, and have obtained so desirable a result. For which cause we congratulate with you in the best manner, and we promise you ever to remember this your exceeding affection towards us, from which we have reaped such great and signal advantages. Acknowledging, therefore, as we do, such

virtue and such affection as yours to us, you may easily believe, Oh most beloved son in Christ, that equal to your most excellent deserts, is that paternal tenderness with which we regard you, and desire every thing that can add to your happiness and glory. These sentiments we have entertained for you ever since they were expressed by us to our beloved son, the Marquis de Llano, when he was here, whom we greatly love for his well-known virtue, and, above all, for his excellent services to you. To confirm more and more what he will clearly testify to you, we pray the Almighty God, with the greatest fervour, that he may, by the effusion of his heavenly gifts, second the apostolic benediction, which we most lovingly bestow upon you, most beloved son in Christ, and upon your illustrious royal family.

Given at Rome, Dec. 30th, 1773.

MOST HOLY FATHER,

As I was about to write to your Holiness, to inform you of the favourable and gracious answer which I had received from the three monarchs of France, Spain, and Naples, my beloved grandfather, uncle, and cousin, to my respectful intercession, requesting them, by their love as fathers, to give your Holiness the satisfaction of seeing the states of Avignon, Benevento, and Pontecorvo restored to the ancient possession of the Holy See, I received at that moment your Holiness's

second affectionate brief, of the 30th December of last year, repeating to me (being already informed of the happy result of my application) those thanks which you had already expressed to me in another brief of the 2d of the same month. How does my heart overflow with joy at this fortunate success,—at this immediate and generous condescension of my revered and beloved relations—at the infinite goodness with which the common Father of the Faithful has appreciated and received an act of devotion from the least of his children! I have thus begun the new year in the happiest manner, and I am filled with delight at thinking that, for the same reason, your Holiness has also commenced it with satisfaction and contentment, and that it will be signalized amongst those of your triumphant and glorious pontificate, which may God prolong, according to my prayers and wishes. Now, I not only feel interested in its duration, as one of the Catholic princes, but likewise as one of the elect of your Holiness, being so distinguished by your grace and favour: of this my minister, the Marquis de Llano, has assured me, who had the honour to kiss your holy feet, and to hear the same from your most sacred mouth; and subsequent events have confirmed the truth of his report, although his well-known veracity and talents did not require proofs to support his statement, for which qualities your Holiness has made honourable mention of his person, and I shall ever, for this cause, and for his good services, remember him with the greatest gratitude.

I again repeat to your Holiness, that, as long as I live, I shall endeavour to preserve the paternal affection and kindness of your Holiness, in order to render

me worthy of those heavenly gifts which will be granted to me and to my family by means of your holy benediction, which I once more implore. May our Lord protect the sacred person of your Holiness, for the happiness and prosperity of his universal church.

Your Holiness's most devoted and humble son, who kisses your sacred feet and hands.

(Signed) FERDINAND.

J. A. MARQUIS DE LLANO.

Parma, 6th Jan. 1774.

E.

EXTRAIT DES REGISTRES DU PARLEMENT,

Du 26 Février, 1768.

Ce jour, toutes les Chambres assemblées, les Gens du Roi sont entrées, et M. Antoine Louis Séguier, Avocat du dit Seigneur Roi, portant la parole, ont dit :

MESSIEURS,

Tout ce qui peut porter la plus légère atteinte, soit directe, soit indirecte, à la puissance souveraine de nos Rois, et à la conservation des Libertés de l'Eglise Gallicane ; tout ce qui s'élève contre les maximes consacrées sur cette matière ; enfin tout ce qui intéresse l'ordre, et la tranquillité publique, doit sans doute animer notre zèle, et exciter notre religion ; et nous nous flattons que la Cour nous rend la justice d'être bien persuadée, que notre activité n'aura jamais de bornes toutes les fois que les intérêts du Roi, ou de l'etat se trouveront compromis.

L'imprimé, dont nous venons lui rendre compte en ce moment, est institué ; " Sanctissimi Domini nostri Clementis PP. XIII. litteræ in forma Brevis, quibus abrogantur, et cassantur ac nulla, irrita declarantur nonnulla Edicta in Ducatu Parmensi et Placentino edita, libertati, immunitati et jurisdictioni ecclesiasticæ præjudicialia. Romæ MDCCLXVIII. Ex Tipografia Reverendæ Cameræ Apostolicæ."

Quoique ce titre annonce, qu'un pareil acte d'autorité de la Cour de Rome n'ait pas été fait pour recevoir son exécution dans le royaume, et qu'il paroisse ne pouvoir intéresser que les sujets d'une puissance étrangère; cependant les liens du sang, qui attachent le Prince qui gouverne les Duchés de Parme et de Plaisance à la maison de France, les principes généraux, qui sont la base des condamnations prononcées par ces Lettres Pontificales, les maximes opposées à cette ancienne pureté des canons, qui constituent ce que nous appelons nos libertés, qu'on y établit les conséquences contraires aux droits de tous les souverains qui en résultent, ce que nous devons au Roi, au publique, à nous-même; enfin le depôt sacré de l'ordre, et de la tranquillité publique, qui nous est confié, tous nous engage à proposer à la Cour de prevenir par sa sagesse, les troubles qu'on chercheroit à occasionner à la faveur d'un imprimé de cette nature, s'il se répandoit dans le royaume sans aucune réclamation.

Et comment pourrions nous garder le silence à la vue des fausses maximes, que ces lettres reproduisent? Personne n'ignore aujourd'hui l'étendue des prétentions de la Cour de Rome, elle a cherché dans tous les tems, à les faire valoir et elles sont toutes principalement consignées dans les Bulles différentes qui ont précédé ou suivi la Bulle appellée *In Coena Domini*, à raison du jour où elle se publie à Rome tous les ans. Personne n'ignore que, depuis le Pape Jules II., elle a été augmentée, et amplifiée suivant les tems, et les circonstances, et au gré de la politique Romaine.

C'est dans cette Bulle du Pape Jules II., et dans celles du même genre, que se trouvent le siège des

principes, qu'on veut renouveller aujourd'hui; et de peur que l'on n'en doute, les lettres en forme de Bref se réfèrent nommément à la publication qui se fait tous les ans à Rome *In Coena Domini.*

La réclamation contre ces Bulles différentes fut générale. L'article 17 de nos libertés rejette expressément les clauses insérées in *Coena Domini*, et notamment celle du tems de Pape Jules II. et depuis, qui n'ont lieu en France pour ce qui concerne les libertés et privilèges de l'Eglise Gallicane, et droits du Roi, ou du royaume. Toutes les autres puissances Catholiques ont suivi le même exemple. Rodolphe Empereur, l'Archevêque de Mayence, l'Espagne, Naples, et Venise les ont également rejettées. En 1536, il parut un petit livre imprimé en France intitulé, *Bulla Coena Domini*, avec un Commentaire de Rebuffe. Nos prédécesseurs en informèrent le Roi, parceque cette Bulle contenoit, disoient-ils, des clauses étranges contre son autorité, et contre ses cours de parlement; et que c'étoit la publier, en quelque sorte, que d'imprimer, et la exposer en vente sous cette forme. La Cour de Rome fait plusieurs tentatives de la faire publier en France. Elle a paru en 1780, sous le titre de "Litteræ processûs S. D. M. D. Gregori PP. XIII. lectae die Coenæ Domini, Anno 1580," et par arrêt du 4 Octobre de la même année, vous en avez défendu la publication. On forma de nouvelles tentatives en 1641; elle reparut sous le titre de "*Constitutio* super præservatione jurium Sedis Apostolicæ," en date du 5 Juin, 1641. Monsieur le procureur général se plaignait de ce qu'elle donnoit une nouvelle autorité à la Bulle *In Coena Domini* dont on s'toit toujours plaint, faisoit préjudice à tous les

souverains, changeoit les lois, et les ordres du royaume, ôtoit les privilèges, prérogatives, et pré-éminences de la couronne, abolissoit les libertés de l'Eglise Gallicane, et, sous prétexte de conserver les droits du Saint Siège, entreprenoit sur le temporel des rois, et d'autant qu'elle pouvoit être publiée sans attendre les ordres des rois; et d'autant en quoi son autorité se voit violée, il requit qu'il fût pourvu. La cour, par arrêt du 18 Septembre de la même année, fit défense de publier cette bulle nouvelle sous peine contre ceux qui la publieront d'être déclarés rebelles au roi, et criminels de lèze-majesté.

Ce sont ces bulles différentes qu'on reproduit aujourd'hui, par les lettres en forme de Bref, qui nous ont été communiquées. On y conteste, comme dès-lors, au souverain tout ce qui appartient à l'exercice de la puissance temporelle, le droit de régler les dispositions en faveur des gens de mains-mortes, celles de ceux qui veulent entrer en religion. On présente les immunités des biens ecclésiastiques, comme des avantages qui appartiennent à l'Eglise de droit divin, indépendamment de toute concession des Princes, &c. &c.

Et encore que Dieu n'ait accordé à Saint Pierre, et à ses successeurs, aucun pouvoir sur la puissance qu'il a donnée aux princes pour le gouvernement de leurs états, le Pape casse, annulle, et abolit, par la plénitude de sa puissance, tout ce que le Prince de Parme, et de Plaisance a ordonné, et il fait défense aux sujets d'obéir à leur souverain. Ces lettres pontificales déclarent " que ceux qui ont publié, promulgué, appuyé, et " exécuté, et fait exécuter les dits édits, ou fait acte

" en conséquence, leurs fauteurs, et adhérens, ceux " qui ont connu, et reconoissent la puissance illégale " des magistrats susdits, juges, officiers, conservateurs, " et autres, sur les personnes, et biens ecclésiastiques, " et généralement tous ceux qui ont participé, soit " qu'ils soient désignés, soit qu'ils ne le soient pas, " même ceux dont il seroit besoin de faire une mention " expresse, ont encourus les censures ecclésiastiques " portées par les saints canons, les décrets des conciles " généraux, les constitutions apostoliques, et nommé- " ment la bulle qu'on lit le Jeudi Saint. Qu'ils sont " déchu de tous leurs privilèges, et qu'ils sont hors " d'état de recevoir l'absolution, jusqu'à ce qu'ils " aient rétabli les choses pleinement, et en entier dans " leur ancien état, ou fait une satisfaction convenable à " l'Eglise, et au Saint Siège."

Enfin ce Bref finit par une clause qui ordonne " qu'at- " tendu qu'il n'y a pas de sûreté de publier le dit " bref dans les Duchés de Parme, Plaisance, et Gua- " stalle, il sera affiché aux portes de l'Eglise de S. " Jean de Latran, de la Basilique de S. Pierre, de la " Chancellerie Romaine, et autres lieux accoûtumés ; et " que cette publication et affiche obbligera tous ceux " qui y sont intéressés, come si les dites lettres avoient " été signifiées à chacun d'eux en particulier."

On se persuadera difficilement, que, dans un siècle où les droits des souverains sont si évidemment respectés, on puisse en imposer aux princes et à leurs sujets. Ce seroit en quelque façon paroître douter du droit des souverains sur cette matière, que de nous arrêter à vous établir les principes ; ils sont évidens par eux-mêmes,

ce sont autant de vérités primitives, que l'intérêt personnel peut combattre, mais que la prévention des auteurs ultramontains n'a jamais pû altérer.

Que d'autorités ne pourrions-nous pas rapporter en ce moment, mais des principes aussi anciens que l'Eglise, aussi étendus que les états qui professent notre sainte religion, aussi constans que cette religion elle-même, et dont on peut retrouver les monuments dans tous les Etats Catholiques! Ces principes n'ont pas besoin d'être appuyés de preuves devant des magistrats qui en sentent toute la vérité, qui connoissent nos libertés, qui en sont pénétrés, qui les ont défendu si souvent, et qui les regarderont toujours comme le rempart le plus assuré contre les entreprises de la Cour de Rome.

Quelles dangereuses circonstances ne résulteroit-il pas des maximes contraires? Si tous les décrets émanés de la Cour de Rome, disoit un de nos prédécesseurs, (M. Joly de Fleury, en 1716,) avoient force de loi dans tous les Etats Catholiques, sans le secours de la puissance séculière, les censures, excommunications, les interdits, les entreprises sur le temporel, et sur l'autorité des Rois, et tout ce qui porteroit le caractère du Pape, seroit donc une loi souveraine à laquelle tous les fidèles seroient assujetis, et l'autorité des princes et des magistrats deviendroit impuissante pour arrêter le cours des nouveautés, qui s'établiroient sans eux dans leurs propres états.

Nous dirions encore avec lui, que ce seroit en vain que nos rois auroient réfusé de recevoir plusieurs bulles des Papes, qui ne s'accordoient pas avec nos maximes; que ce seroit en vain, que nos pères auroient protesté

contre tant de décrets, et surtout contre la bulle *In Cœna Domini* dont la cour a si solemnellement défendue l'impression, et l'exécution dans les royaumes. Tant de précaution deviendroit inutile, et la sagesse, ainsi que la prévoyance de nos ancêtres seroient impuissantes pour notre tranquillité.

Quel peut donc être l'objet d'un acte aussi étrange? Les sentiments de respect que nous avons pour le Pape dont il est émané, ne permettent pas de penser qu'il adopte des mesures si contraires à celles de l'Evangile, qu'il veuille faire revivre des droits aussi chimériques que déplorables, et qu'il cherche rentrer, dans des démêlés capables d'attirer non seulement sur ses propres états toutes sortes de malheurs, mais ce qui toucheroit encore plus son cœur, capables de nuire à la religion Catholique, si on pouvoit croire qu'elle autorisât de pareils attentats. Détournons nos regards de pareilles idées.

Quelque intrigue sourde agite des esprits inquiets, attachés, ou dévoués à la politique Romaine, et à celle d'une société qui a terni, et même flétri tout l'éclat de cette cour. Elle est déchue de sa splendeur ancienne, cette société coupable; elle est bannie de plusieurs royaumes; elle est prête à rentrer dans le néant; elle n'ose attaquer les souverains, puissants de trois états; où elle n'existe plus, elle attaque un prince également cher à ses souverains. Elle voudra peut-être engager la Cour de Rome à prétexter des droits chimériques sur les états de ce prince; elle tentera de troubler la bonne intelligence qui règne entre les puissances Catholiques et le Pape, et par ce désordre elle se flatte de reculer sa perte, ou d'en rendre l'époque mémorable dans les annales des empires.

Telle est l'idée que l'on peut se former de ce coup hazardé, de cette insulte gratuite faite à un prince dont la cause en ce moment est celle de tous les souverains.

Pareille chose à peu près, mais dans des circonstances moins intéressantes, est arrivée en 1715, à l'occasion des lettres monitoriales pour la Sicile. Vous en avez pris connoissance, par la considération du danger, que ces entreprises de la Cour de Rome portent à toutes les puissances, et par arrêt du 15 Janvier, 1716, vous les avez supprimés.

Trop de motifs se réunissent ici pour ne pas nous engager de même à nous élever contre les lettres en forme de bref, données le 30 Janvier de la présente année, contre les Ducs de Parme et de Plaisance.

Nous ne devons pas devoir nous contenter de requérir la suppression de ces lettres en forme de bref; ce ne seroit pas porter assez loin les précautions que de se borner à en défendre la distribution dans le royaume, sous les peines ordinaires; la tentative téméraire et hardie, que nous ne pouvons attribuer qu'aux officiers de la Cour de Rome, la critique même qu'ils ont osé faire de l'*Exequatur*, qui est la loi de tous les pays, et singulièrement de la France, nous détermine à vous proposer de la remettre en vigueur dans le ressort de la cour, comme elle y est celui des différents parlements du royaume, où conformément à l'Article 77 de nos Libertés, *toutes Boules, et expéditions venant de Cour de Rome*, sans exception, *doivent être visitées, pour sçavoir si en icelles il n'y auroit aucune chose qui portât préjudice en quelque manière que ce soit aux droits et libertés de l'Eglise Gallicane et à l'autorité du roi.*

Cette précaution sera un préservatif assuré contre

toutes les voies, qui ont été prises en différents tems à Rome pour assujétir insensiblement les particuliers par des clauses nouvelles, soit aux bulles *In Cœna Domini*, soit à d'autre qui contrediroient nos maximes. Ensorte que nous proposerons à la cour de se renfermer, en cette occasion, dans les termes exacts du principe, qui ne souffre d'autre exception, que celle des brefs de pénitencierie, lesquelles ne peuvent avoir pour objet que le for intérieur de ceux qui les obtiennent.

Ce sont les motifs des conclusions que nous avons prises par écrit, et que nous laissons à la cour avec les lettres en forme de bref qui nous ont été communiquées.

Et se sont les dits gens du roi retirés.

Eux retirés.

Vu l'imprimé intitulé: " Sanctissimi Domini nostri " Clementis PP. XIII. Litteræ in forma brevis, qui- " bus abrogantur, et cassantur ac nulla, et irrita decla- " rantur nonnulla Edicta in Ducatu Parmensi, et Placen- " tino edita, libertati, immunitati, et jurisdictioni Ec- " clesiasticæ præjudicialia. Romæ MDCCLXVIII. " Ex Typographia Reverendæ Cameræ Apostolicæ," contenant huit petites pages in folio, commençant par ces mots: *Alias ad Apostulatûs nostri notitiam*, et finissant à la huitième page par ces mots: *Datum Romæ, apud S. Mariam Majorem, sub annulo Piscatoris, die* 30 *Januarii* 1768. *Pontificatûs nostri anno decimo.* Signé, *A. Cardinalis Negroniis*; et au-dessous mention de l'affiche et publication faites le premier Février, 1768, en divers lieux de Rome; Conclusions du Procureur Général du Roi. Oui le rapport de M. Denis Louis Pasquier, Conseiller. Tout considéré,

La Cour, toutes les Chambres assemblées, a ordonné,

et ordonne que le dit imprimé sera, e demeurera toujours supprimé; fait défense à toutes personnes de quelqu'état, dignité, et qualité qu'elles soient, soit laïques, soit ecclésiastiques, séculières, ou régulières, imprimeurs, libraires, colporteurs, ou autres, de faire imprimer, distribuer, vendre ou autrement donner publicité au dit imprimé à peine d'être procédé extraordinairement contre eux, come rebelles au roi, et criminels de lèze-majesté; enjoint à tous ceux qui en auront des exemplaires de les apporter au Greffe de la Cour pour y être supprimés; ordonne que les lois, et ordonnances du royaume, arrêts, et règlements de la Cour, notamment les arrêts du 4 Octobre, 1580, et 18 Sept^re^ 1641, seront exécutés selon leur forme et teneur; en conséquence, fait inhibitions et défenses à tous archévêques, évêques, officiaux, et autres, comme aussi à toutes personnes, de quelque qualités et conditions qu'elles soient, de recevoir, faire lire, publier, et imprimer, ni autrement mettre à exécution aucunes bulles, brefs, rescrits, décrets, mandats, provisions, signature servant de provisions, ou autres expéditions de Cour de Rome, même ne concernant que les particuliers: à l'exception néanmoins des brefs de Pénitencerie pour le for intérieure seulement, sans avoir été présenté en la cour vus, et visitées par icelle, à peine de nullité des dites expéditions, et de qui s'en seroit ensuivie. Ordonne en outre, que le présent arrêt sera, par le Procureur Général du Roi envoyé aux archévêques, et évêques étant dans le ressort de la cour, et à sa requête signifié, pour cette ville de Paris, aux recteurs et suppôts de l'Université, doyen et syndics de la Faculté de Théologie, comme aussi à la dite requête du Procureur Gé-

néral du Roi, poursuite, et diligence de ses substituts sur les lieux, aux recteurs, et suppôts des autres Universités, doyens, et syndics des Facultés de Théologie pour être le présent arrêt inscrit sur les registres des dites Université et Facultés de Théologie. Et qu'à l'égard des autres communautés séculières, ou régulières, et tous autres, l'affiche du présent arrêt deviendra, et sera imprimé, publié, et affiché par tout où besoin sera, et copies collationées d'icelui envoyées aux baillages, et sénéchaussée du ressort pour y être lu, publié, et registré. Enjoint aux substituts du Procureur Général du Roy d'y tenir la main, et d'en certifier la cour dans le mois. Arrête en outre que le premier président sera chargé de porter au roi le présent arrêté, et de le supplier très-humblement de vouloir bien prendre les mesures que sa sagesse pourra lui inspirer pour rendre uniformes dans son royaume les formes à observer pour procurer l'exécution des expéditions venantes de Cour de Rome conformément aux lois et maximes du royaume. Faite en Parlement, toutes les Chambres, le 26 Fevrier, mille sept cent soixante huit.

F.

EDIT DE SA MAJESTE IMPERIALE ET ROYALE APOSTOLIQUE, PUBLIÉ DANS TOUTE LA LOMBARDIE AUTRICHIENNE LE 19 OCTOBRE, 1768.

Les dispositions ecclésiastiques, qui outrepassent les limites de la pure spiritualité, portant sur des objets temporels, politiques, et économiques, ne peuvent, sans le consentement positif du prince, (en qui seul réside la suprême puissance législative pour tout ce qui a rapport à la société civile,) devenir obbligatoires pour les sujets; toutes celles qui se trouvent manquer de ce consentement ou d'une acceptation légale doivent donc être considérées comme nulles, et illégitimes.

En supposant même l'admission de ces dispositions, comme elle n'est due qu'à la concession du prince, qui seul étoit également l'arbître de ne pas les admettre, à proportion de l'exigence de la cause pubblique elles sont dans le cas de toute autre concession ou loi, faites, ou à faire, qui, émanant de la puissance législative et suprême, non seulement peuvent, mais même doivent être changées, et annullées, lorsque le bien général ou les abus successifs, ou bien la différence des tems, et des circonstances le requièrent, et qu'il n'est point de loi fondamentale de l'état qui s'y oppose.

Etant donc parvenu à notre connoissance, que la bulle nommée *In Cœna Domini*, laquelle n'ayant jamais été admise ni acceptée par nous, et par nos

prédécesseurs, s'est introduite par des voies indirectes dans nos états de la Lombardie ; et que quand même cela ne seroit point, cette bulle contient notoirement des dispositions pour la plupart absolument étrangères au ministère du sacerdoce, et de plus, quelques autres impossibles à justifier, et grièvement attentatoires à la puissance souveraine ; après avoir déjà fait exhorter nos évêques de la Lombardie Autrichienne de s'abstenir de faire, à l'avenir, aucun usage de la dite bulle *In Cœna Domini*, en quelque forme et manière qui pût dépendre de leur ministère, Nous les y exhortons encore de nouveau, par le présent édit ; telle étant notre détermination souveraine.

Nous notifions en conséquence à tous nos sujets, tant ecclésiastique, que séculiers, en quelque rang et dignité qu'ils soient constitués, que nous entendons, et voulons, qu'à l'avenir il ne puisse, et ne doive être fait dans tous nos états de la Lombardie Autrichienne, aucun usage de la bulle *In Cœna Domini*, pour quelque cause et effet que ce puisse être ; déclarant d'autant plus illégitime et abusive, toute pratique contraire, directe ou indirecte, qu'aussi-bien elle ne pourroit jamais préjudicier à cette puissance légitime, suprême, et législative, que nous tenons de Dieu pour le bien de la société civile.

Nous avons donc défendu, comme nous défendons par le présent édits, à tous libraires, imprimeurs, et à toutes personnes ou communautés quelconques, de garder et retenir la dite bulle, voulant bien moins encore qu'elle puisse être exposée au public, en quelque lieu que ce soit, sous peine arbitraire au gouvernement, etc.

A ces causes ordonnons et commandons que le présent édit soit publié et affiché, suivant l'usage, dans tous les lieux et endroits accoûtumés, pour que personne n'en puisse prétexter cause d'ignorance.

A Milan, le 19 *Octobre* 1768.

G.

MEMOIR UPON THE PAPAL INVESTITURE OF THE KINGDOM OF THE TWO SICILIES.

THE origin of the right to census, and the presentation of a hackney, as assumed by the Papal See from the kings of Naples, appears to have been derived from a custom of a similar nature, which was established in Germany, under the Emperor, Henry II., who, in the year 1005, having built a Church in Bamberg, applied to Pope Benedict the Eighth to consecrate it as a cathedral, and establish upon it a bishopric; these requests were complied with, but upon the condition of the yearly payment to the See of Rome of one hundred marks of silver, and the presentation of a hackney or saddle horse.

A short time after this transaction, some Norman adventurers, on their return from the Holy-land, had distinguished themselves in repelling an attack of the Saracens upon the town of Salerno. The valuable rewards they received for this service from the Prince of that city induced a number of their countrymen, under Drago, to bend their steps towards a country where riches appeared so easily to be obtained. The reputation for valour which the first adventurers had established, induced a citizen of Bari, named Melo, to apply to these new adventurers, upon their arrival, to join him in a contest in which he was engaged against the Greeks who then occupied the Calabrias and a

part of Apulia. Melo was defeated at the battle of Cannes in 1019. The Normans, who escaped from this action, took service under the Princes of Salerno and Capua; but having afterwards been joined by a larger body of their countrymen, they enlisted under the Emperor Henry II., who at that time was engaged in a campaign in Apulia, but who, not having succeeded in his objects, and having been obliged to retire from the country, they quitted his service, and under Rainulphus, brother of Drago, established themselves in Aversa. The possession of this place was confirmed to them by Sergius, General of the republic of Naples, as a recompense for the assistance they had offered him in delivering that city from the usurpation of the Prince of Capua.

In 1035, a more considerable body of Normans arrived at Tarento, under three brothers of the house of Tancred, of Haute-Ville. These commanders led their troops, in the first instance, into Sicily, as a reinforcement to the Greek army, which was engaged in hostilities with the Saracens in that island; but upon their return to the continent they joined Ardoin, a Lombard chief, and in two campaigns made themselves masters in 1042 of the greatest part of Apulia. They continued their conquests in the succeeding years, and in 1047, they were invested by the Emperor Henry III., at Capua, with the government of the provinces they had taken possession of, and with the Duchy of Benevento, if they could make themselves masters of it. With the view of facilitating this object, the emperor is stated to have induced the Pope Clement the Second to excommunicate the people of Benevento, for not

having opened their gates to him, and acknowledged his sovereignty. In the year 1048, Leo IX. was elected pope: the Normans, who had by this time obtained possession of Benevento, appear to have given him some cause of complaint, in consequence of which he waited upon the emperor, and having liberated the bishopric of Bamberg from the annual payment of the one hundred marks (retaining the claim to the presentation of the hackney), he received in return the grant of the city of Benevento; and an imperial army having been placed under his orders, after having excommunicated the Normans, he marched against them. But the papal and imperial army being totally defeated on the 18th of June, 1053, near Civitella, the pope was taken prisoner, and carried to Benevento. The Normans had, in the mean time, made over the grant, which they had received of this city, to the Lombards, but they required of the pope, whom they treated with every respect and reverence, to confirm the investiture, which they had already received from the emperor, of all the conquests they had made in Apulia and Calabria. The pope, having been removed to Capua, acceded to their wishes, by granting the investiture to Humphrey, Count of Apulia and Calabria. This act became the foundation of the claims which have ever since been maintained by the popes to the sovereignty of the kingdom of Naples; it was followed up by Pope Nicholas II., who, finding the Normans too powerful to cope with, consented, in the year 1059, in a council assembled at Melfi, to invest them with the Duchies of Apulia, Calabria, and Sicily, which were given to Robert Guiscard; and of

Capua, which, having been taken from Landolf, a Lombard chief, was conferred upon Richard, Count of Aversa.

The mode in which this grant of an extensive dominion, which had never belonged to the See of Rome, was effected, was not unusual in the times in which it occurred. The Normans, who feared the power of the emperor, were desirous of protecting themselves by interposing the authority of the church: they therefore gave over their possessions to the See of Rome, as an offering or oblation, receiving them back upon the condition of the payment of a census or tribute to the superior lord, whom they acknowledged; the census, in this case, was the yearly payment of twelve *denari*, for every pair of oxen.

The Normans continued to extend their possessions, and Robert Guiscard established his authority in the Duchies of Bari and Amalfi, in the principality of Salerno, and in the greater part of Sicily. He had at one time been excommunicated by Pope Gregory VII.; but this prelate, being engaged in his well-known contest with the Emperor Henry IV., applied to Robert for assistance, who, marching to his rescue in 1084, escorted Gregory from Rome, where he was besieged by the imperial troops, to Salerno. Gregory at this place renewed the grant of investiture of all his conquests to Robert, with the exception of the principality of Salerno and the duchy of Amalfi, which the Holy See, upon the ground of their having been included in the grants of Pepin and Charlemagne, considered as a part of its temporal dominion *.

* In the course of the negociation which accompanied these

From this time the renewal of this grant was repeated by each succeeding pontiff, until the year 1139, when Roger II., count of Sicily, and nephew to Robert Guiscard, who had died in the year 1085, first declared himself king of the two Sicilies. He afterwards was confirmed in this title by the anti-Pope Anacletus, whose cause he had espoused, and on account of whom he was involved in a war with the Emperor Lothario and Pope Innocent II.

The results of this contest were at first disastrous to Roger, and he was driven from the greater part of his territories on the continent; but the emperor having returned to Germany, the king of Naples re-occupied his former possessions, and in an action near the Castle of Galluzzo, defeated the papal army, and took the pope prisoner. His holiness, under these circumstances, confirmed to Roger the grants which had been made to him by the anti-Pope Anacletus, conceding to him also the sovereignty of Capua and Naples, over neither of which, it appears, that the Papal See had to that time exercised the slightest power or authority. By this act the kingdom of the two Sicilies was first established: it was confirmed to William I., son of Roger, in 1115, by Adrian IV. (the only Englishman who has occupied the chair of St. Peter), in the treaty of Benevento. The title descended to the son of William, and in the year 1194 (after the short usurpation of Tancred) to the Emperor Henry VI., son of Frederic Barbarossa, who had married Constance, daughter of Roger, and sole heir to these kingdoms.

arrangements, the city of Benevento, which had been taken from the Lombards in 1077, was made over to the popes.

By this marriage the Swabian family became possessed of the throne of the two Sicilies; they still held it under the same condition of a feudum oblatum of the Holy See, on which the Normans had consented to possess it. But at the death of the Emperor Frederic II. (son of Henry VI., and his successor to the kingdom of Naples), a new series of events arose, from which the popes, rejecting the minor claim of sovereignty over these kingdoms, as an oblata or offering, assumed the entire power of disposing of them at their pleasure. The first trace of this pretension may be discovered in the conduct of Innocent III., at the death of Henry VI., when this pontiff consented to grant the investiture of the two Sicilies to Frederic (who, being a minor, was under the guardianship of his mother Constance), upon less favourable conditions than those which had been agreed to by Adrian IV., and in the claim he established to the guardianship of that prince, after the death of his mother.

But, at the decease of this sovereign, Pope Innocent IV., who had been engaged in violent hostility against him, and who had excommunicated him, laid claim to the kingdom of Naples, and, in the intention of uniting it to the patrimony of St. Peter, wrote to the city of Naples:—"By the consent of our brothers "the cardinals, we have taken your persons, your "property, and your town, under the protection of "the Holy See; we have decreed that it shall remain "for ever under its immediate dependence, and we en- "gage that the church shall never grant any sove- "reignty or authority over it to any emperor, prince, "or count, or to any other person whatsoever."

To the clergy of Sicily he communicated the same intentions, and he prepared to carry them into effect. The force of arms, however, in this instance, prevailed against the thunders of the Vatican. Mainfroy, the illegitimate son of the Emperor Frederic, maintained the sovereignty of the kingdom, and, in the year 1252, delivered it over to Conrad, the rightful heir, who suppressed the rebellion which had been excited by the Holy See, and established himself in quiet possession of the country.

Innocent IV., disappointed in his schemes of conquest, and convinced of his inability ever to carry them into effect, made an offer of the crown of the Two Sicilies to Richard Earl of Cornwall, brother to Henry III. of England; but this negotiation having failed, he persuaded Henry to accept it for his second son, Prince Edmund*.

While the preparations for carrying these intentions into effect were in progress, Charles Count of Anjou, brother to Louis XI., King of France, offered, upon the condition of receiving the papal investiture of the kingdom, to charge himself with the expedition; but all these negotiations were suspended by the death of Conrad, in 1254, and the Pope declared to the ambassadors who appeared before him, in the name of the infant son of that prince, and who were desirous of recommending to him the protection of his rights, "that he would first "have entire possession of the Two Sicilies, and then "would decide (when Conradin should be of age) what "favours he might grant to him." Mainfroy, who,

* The bull by which the investiture was granted to Prince Edmund is dated in May, 1254.

had been named by Conrad the guardian of his son, conceiving that, in the disturbed state of the country, he should be unable to resist the forces which had been assembled by the Pope, determined to repair to his camp at Ceprano, and to conduct him into the kingdom; at the same time he solemnly protested in favour of the rights of his nephew. Finding, however, that the Pope was requiring from the inhabitants the oath of fidelity to the Holy See, and fearing for his own safety, he secretly quitted his residence at Acerra, and fled to Luceria, where, having found a considerable garrison of Saracens who were entirely devoted to him, he formed an army, with which he reconquered the whole kingdom. During this period Innocent died. His successor, Alexander IV., excommunicated Mainfroy; but Urban IV. (after having obtained from Henry of England, and his son Prince Edmund, the renunciation of the investiture granted to him by Innocent IV., and having convinced the King of France that every right of Conradin had been forfeited in the excommunication of his grandfather Frederic II.) ceded the kingdom of the Two Sicilies, with the reserve of Benevento, to Count Charles of Anjou, to be held by him and his successors as a fief of the church, upon the payment of an annual tribute of 8000 sterling marks, a white hackney or steed, and an engagement to hold a force of 5000 foreign cavalry at the disposition of the Holy See. The accomplishment of this arrangement was reserved for the successor of Urban, Clement IV., under whose pontificate Charles, in the church of St. John Lateran, in the year 1265, received the crown of the Two Sicilies, and did homage for it in the presence of four cardinals, who had been named by the Pope to receive it.

Having thus traced the assumption of the entire authority on the part of the Holy See to dispose of the kingdom of the Two Sicilies, it would be tedious to follow in detail the exercise of this pretended right through the various and contradictory transactions to which it led. But, as early as 1283, Martin IV. excommunicated Peter of Arragon for accepting the throne of Sicily, which had become vacant by the expulsion of the French, in consequence of the Sicilian Vespers, in 1303; however, Frederic III., brother of Peter, received from Boniface VIII. the investiture of that kingdom. In 1309, Clement V. disposed of Naples in favour of Robert, second son of Charles II., in preference to Charles Hubert, son of Charles Martel, who was his elder brother. Urban VI., in the year 1380, pronounced a sentence of deposition against Johanna, daughter of Robert, and crowned Charles Durazzo (descendant of Charles Hubert) King of Naples, authorising and directing his conquest of that kingdom. When this object had been attained, Urban claimed from Charles the principalities of Capua and of Melfi for his nephew, which being refused, he excommunicated and deposed that sovereign whom he had created, and made over the investiture of the kingdom to Louis of Anjou, son of Louis, to whom Johanna, when assailed by Charles, had left her inheritance.

Upon the death of Charles, who was assassinated in Hungary, the Pope claimed the regency of the kingdom on the part of Louis; but his successor, Boniface IX., recognised the rights of Ladislas, son of Charles, annulling the deprivation which had been pronounced against him by his predecessor.

Alexander V., however, in 1409, reversed this de-

cision, excommunicated Ladislas, and invested Louis with the sovereignty, which was also continued to him by John XXII.; these efforts were unsuccessful, Ladislas retained possession of his kingdom, and transmitted it, in 1414, to his sister, Johanna II., who having first adopted Alfonso of Arragon, King of Sicily, as her heir, afterwards reversed this arrangement, and appointed Louis of Anjou (son of the Louis who has just been mentioned), who was invested in 1423, by Martin V. The See of Rome was equally unfortunate in this undertaking. At the death of Johanna, Alfonso succeeded in establishing himself in the kingdom; he transmitted it to his natural son Ferdinand. Calixtus III., not recognising the legitimacy of this arrangement, claimed the sovereignty as having devolved to the Holy See. Pius II., however, confirmed the title of Ferdinand, to whom Sextus IV. remitted the census due to Rome, requiring only in future the presentation of the hackney.

Innocent VIII. rejected this arrangement, and excommunicated Ferdinand, absolving his subjects from their oaths and allegiance, and taking part with the rebellious barons in their attempt to deprive him of his crown. This rebellion having failed, Alfonso II. succeeded to his father, and was crowned by Cæsar Borgia, who, being elected Pope, had taken the name of Alexander VI.

This very notorious pontiff took part with Charles VIII. of France in his invasion of the kingdom, in the sovereignty of which he had confirmed Alfonso; he afterwards returned to his first alliance with the son of Alfonso, Ferdinand II., under whose reign Charles evacuated Naples, and returned to France. Upon the

death of Ferdinand, the crown of Naples devolved upon his uncle, Frederic of Arragon. This prince was at first supported in his contest with the King of France, by Ferdinand the Catholic King of Spain; but this very religious and Catholic sovereign, after occupying the strong places of the kingdom, entered into a treaty with Louis XII., successor to Charles VIII. of France, by which, in 1501, he divided this country with him, despoiling Frederic, and obliging him to abandon his states; he afterwards (through the means of his great captain, Gonsalve of Cordova) drove the French out of that part of the kingdom which had been granted them by treaty, and established his sole authority. He was succeeded by Charles V., upon whom Leo X. conferred the sovereignty, dispensing with an article of the original investiture, as granted to the House of Anjou, according to which no King of Naples could hold the imperial dignity.

When Charles V. succeeded to the throne of these kingdoms, although the arbitrator of Europe and the Indies, yet he submitted to receive the Papal investiture in the capitulation of 1529, wherein it was, amongst other things, established, that the Pope, Clement VII., should give up all claim to the arrears of the census which were due, and that the Holy See should, in future, renounce all pretension to that payment, receiving only the yearly presentation of the hackney as a mark of vassalage.

These dispositions were protested against in 1555, by Paul IV., who claimed the census from Philip II.; and upon the refusal of that prince to conform to the Papal decree, the thunders of the Vatican were hurled against him,—his states were declared forfeited to the Church.

From this period until the death of Philip IV., an annual tribute of seven thousand dollars was paid to Rome, and the investiture was granted by the Pope at every new accession to the throne; and during the minority of the son of Philip, Alexander VII. (citing the example of Innocent III., in his discussion with the guardians of Frederic II.,) laid claim to the regency of the kingdom.

In 1671, the Viceroy, Don Peter, of Arragon, went to Rome by order of the Queen-mother and Regent of Spain, to do homage to Clement X., in the name of Charles II. At the conclusion of the wars, which were kindled at the death of this sovereign, and which originated in the disputes occasioned by his succession, the Emperor, Charles II., in 1722, obtained from Innocent XIII. the investiture of the Two Sicilies, and Cardinal Althaun, his legate, took the oath of allegiance in his name. In 1734, the Infant, Don Carlos, having conquered the kingdom of Naples, there arose a contest between him and the Emperor, which should be admitted to the privilege of paying the census to Rome. Pope Clement XII. at first refused the proffered homage from Don Carlos, but his arms having been triumphant, the Emperor was cast in the judgment of the Church, and the census and hackney were received from Don Carlos; and, in 1738, he was invested with the sovereignty of the kingdom. During the reign of this prince the hackney continued to be presented; and, at the accession of his son, Ferdinand IV., the same ceremony was observed till the year 1786, from which time it has been discontinued.

From the Pope to the King of Naples.*

REAL MAESTA,

PER quanto il silenzio di V. M., che non ha mai risposto alla nostra lettera di 18 Ottobre decorso, e le aperte dichiarazioni di suoi ministri ci annunziassero, che nella ricorenza della Festività di S. Pietro non sarebbe seguita la prestazione del censo, e della chinea dovuta a questa Santa Sede, pure confessiamo alla M. V. che non ci sembrava possibile che cio accadesse.

Noi non potevamo dimenticare le calde istanze che ci fece V. M. medesima, da Palermo, con sua lettera fattaci presentare del Duca di Gravina, per effettuare fin da quel anno la prestazione di detto censo e chinea. V. M. si ricordi quanto ci scrisse da quella città, e quello che è più, si ricordi i voti che colà fece a Dio. Non perchè sono cambiati i tempi della tribulazione, cambiano i doveri; anzi dal cambiamento de' tempi si deve prender motivo di essere grati alla misericordia del Signore, e raddoppiare lo zelo nell' adempimento de' proprii obblighi.

Nella citata nostra lettera le dicemmo con apostolica franchezza, che se V. M. fosse per mancare ai suoi giuramenti, noi non mancheremmo ai nostri. Il riflesso della pendente trattativa degli affari Ecclesiastici, ed il desiderio di non attraversarne la conclusione, la quale è di tanta importanza per la religione, ed eccita cosi vivamente le nostre Apostoliche sollecitudini,

* These letters were in the possession of a distinguished foreigner residing in Rome, who is lately dead.

ci somministra un motivo per tranquillizzare la nostra coscienza, e per trattenerci ancor questa volta dalla esecuzione di quanto avevamo dichiarato a V. M. Ma se per l' anzidetto riflesso ci tratteniamo dal fare alcun passo, non vogliamo però avere il rimorso di non averle almeno parlato chiaramente.

Maestà, noi siamo ormai sull' orlo dell sepolcro. Tremiamo al pensiero di dover fra breve comparire al giudizio di quel Dio, innanzi al quale dovrà pure comparire un giorno anche la M. V. L' inadempimento delle obbligazioni contratte, i giuramenti violati non saranno scusati innanzi a Lui da mondani dispetti. Al letto della morte, e al lume di quella funesta candela, la M. V. vedrà sotto altro aspetto quello che gli umani riguardi, ed i nemici del di Lei vero bene, le fanno ora vedere sotto un mentito colore. V. M. non creda che il nostro interesse ci faccia parlare così. Noi non seremo nè più piccioli, nè più grandi, se non ci si presenta, o se ci si presenta chinea. Ma V. M. rifletta se un giorno sarà egualmente indifferente per Lei, il non avercela presentata.

Se la nostra voce, che è pur la voce del Vicario, benchè immeritevole, di Gesù Cristo, ha la disgrazia di non farsi ora sentire al cuore di V. M., se la sentirà risuonare un giorno al tribunale di Dio. Questi sentimenti, che forse dispiaceranno alla M. V., sia pure persuasa, che vengano dal cuore di un Padre che l' ama, e che desidera la di Lei eterna salute. E con tutta l' affezione dell' animo restiamo, dandole la Paterna Apostolica Benedizione,

PIUS P. P. VII.

Dal Vaticano, 28 *Giugno*, 1816.

Napoli, 26 Luglio, 1816.

AL SANTO PADRE,

La lettera che vostra Santità si è compiaciuta scrivermi in data dei 28 del mese scorso, mi ha riempito d'amarezza, e per l'accusa ch' Ella mi dà di non aver fatto risposta alla sua di 18 di Ottobre dell' anno scorso, e per l'oggetto su cui si versa.

Farò prima l'apologia dell' accusa, e di poi col più profondo ossequio, che professerò finchè io viva al Vicario di Gesù Cristo; ragionerò *liberamente* coll' immortale Pio VII. della chinea; dritto puramente politico e temporale, che la Chiesa di Roma crede fondato, e che il Rè delle due Sicilie (anche messe da banda le discettazioni critiche e diplomatiche) non può, nè deva mandar buono, senza cedere la sua indipendenza, dritto primitivo e costitutivo d' ogni sovranità.

Quanto all' apologia; la lettera di V. S. sulla chinea, di 19 di Ottobre, mi fu presentata dal Cardinal Caracciolo: e dopo averla ponderata colla più scrupulosa attenzione, ci feci risposta il dì 21 di Novembre, ed ordinai al mio ministro presso la S. V. di presentarcela in proprie mani; e siccome la S. V. mi diceva in quella lettera, di aver commesso al Cardinal Caracciolo di parlare anche sulla presentazione della chinea, ordinai ai miei plenipotenziarii di non ricusarsi a ragionarne nelle negoziazioni del concordato, ed essi mi hanno poi riferito di averne tenuto ragionamento co' suoi plenipotenziarii; cumulando questa pretenzione colla *inconvenienza per li due Stati limitrofi*, del possesso di Benevento e Ponte-Corvo, per così farne oggetto d' inden-

nizzamento pecuniario come transazione di un dritto dubbio e contraverso, unico mezzo con cui si sono sempre estinte le contese e tra privati, e tra sovrani limitrofi, per evitarsi dagli uni i giudizii, e dagli altri lo stato molesto di non buon vicinato; che anzi, i miei plenipotenziarii mi rapportarono benanchè, che di questo loro ragionamento ne fosse stato da' plenipotenziarii di V. S. messo per iscritto un *memorandum* che lettosi poi nella sessione susseguente, fu inviato alla vostra Segreteria di Stato, senza aversene più risposta. Vede quindi V. S., che alla lettera non mancai di rispondere, e se, per caso fra le sue carte è stata dispersa, non è mia colpa. Intanto, perchè V. S. sia a giorno dei termini di quella mia risposta, le ne invio una copia, anche per giustificazione di un mancamento inpresumibile verso la persona della S.V., sacra pel carattere, e commendevolissima per le virtù che l' adornano.

Vengo poi alla sua lettera di 28 del mese scorso. V. S. mi parla del censo, e della chinea; di mie lettere scrittele da Palermo, e presentatele dal Duca di Gravina; de' miei voti fatti a Dio; de' giuramenti prestati: dell' inadempimento delle mie promesse. Mi chiama al giudizio di Dio; mi ricorda quel sacro lume che si accende al letto dei moribondi, cui Iddio concede la grazia di esser vissuti, o di morire in seno della chiesa; mi dice, in fine, queste sacre e memorande parole: *Se la nostra voce, che è pur la voce del Vicario, benche immeritevole, di Gesù Cristo, ha la disgrazia ora di non farsi sentire al cuore di V. M., sela sentirà risuonare un giorno al Tribunale di Dio.* Mi riempii a questa lettura di sacro e santo orrore, e raccoltomi innanzi a

Dio, lo supplicai con maggior fervore di darmi lume e conoscenza dei miei doveri. E prima di ogni altro volli ricordarmi, se alcun voto avessi fatto nella mia dimora in Sicilia, e dietro scrupoloso scrutinio, non ne rinvenni alcun altro, che quello, sebbene non solenne, di eriggere a S. Francesco di Paola una chiesa, tostochè avessi ricuperato il mio regno di Napoli.

Nè feci mai voto di prestar censo e chinea, ne questo voto poteva cadermi in mente; poichè se la giustizia mi avesse obbligato a queste prestazioni, non era materia di voto; che se poi non fossero dovute, ma, dico anche meno, se alcun dubbio di dritto, o di fatto vi fosse concorso a prestarle, avrei mancato al mio dovere facendolo, conciosiacchè avrei assoggettato il mio stato ed i miei sudditi al vincolo feudale, e ne sarebbe sorto l' assurdo, a danno della Religione, che alcun facesse voto a Dio di mancare ai doveri del proprio stato: e quando, per vacillamento momentaneo di adeguato ragionamento, fossi io in questo errore caduto, non dic V. S. che ha la pienezza de' poteri spirituali, ma qualunque confessore mene avrebbe assoluto.

La spaventevol minaccia di render conto a Dio mi ha condotto e richiamare ad esame la natura e l' indole della questione, e, con que' lumi che è piaciuto a Dio di darmi, mi sono pienamente convinto dei seguenti ragionamenti, scevri d' investigazione di carte antiche, che ha dimostrata in tutt' i tempi priva di fondamento legale questa pretensione della chiesa di Roma.

Fuvvi un tempo che tutto prese in Europa la forma feudale. La catena de' signori e de' vassalli aveva tali e tanti anelli, che i Re di Francia, l' Imperatore di Germania, la stessa Chiesa, per una via risalivano all' anello

superiore di signore, e per l' altra discendevano a quello di vassallo.

Era, insomma, la feudalità il principio costitutivo della ragione pubblica; ogni terra, ogni stato, ogni persona, o si credeva signore, o si riputava vassallo: e talvolta per diverse possessioni, l'una, e l' altra qualità, con maggiori o minori gradi di signoria, o di soggezione feudale, lo stesso stato, o la stessa persona, rappresentava o soffriva. Questo stesso principio di feudalità fece anche nascere i feudi oblati, specie di volontaria servitù che era a quei tempi di sommi vantaggi largamente compensata.

La chiesa poi, quanto salda ed invariabile nel dogma, e nelle disciplina inerente al dogma, saggia egualmente nelle cose temporali, per le sue possessioni e per li dritti temporali, ai tempi ed ai sistemi di ragion pubblica si è sempre conformata: onde, mentre l'Impero Romano era Signore del mondo, per lo temporale fu suddita: sciolto l' Impero Romano, divenne, per giustissimo titolo, Potenza politica; prese ne' suoi stati le forme feudali, perchè tutto allora era feudo; la sua potenza temporale or si accrebbe, or si scemò per trattati e convenzioni; in somma, per quei modi pei quali le sovranità crescono e dicrescono. Effetto di queste politiche e diplomatiche convenzioni si è il possesso de' suoi stati, sempre subordinato a quelle vicende imperiose, che il sistema generale del secolo adatta ai governi. Infatti, il glorioso predecessore di V. S. non fu con solenne trattato obbligato a cedere le Legazione? E la S. V. non ne ripete ora il possesso, con leggerissime diminuzione, da una politica convenzione, che le potenze riunite in congresso a Vienna han sanzionato per dar la pace

al mondo? Non vi è dunque d' invariabile che il dogma, perchè da Dio rivelato. Ciò che è temporale della chiesa si conforma al secolo ed alle circostanze. La feudalità, Santo Padre, è finita in Europa. La Germania, che la conservava più d'appresso nella forma antica; la Francia, la Polonia, l' Italia, i Paesi Bassi, non sono più feudi. L' Imperatore di Germania, i Re di Francia, hanno solennemente abdicato ogni dritto feudale; l' Italia, piena di feudi Imperiali, di già più non ne ricorda il nome. Sarà dunque il solo regno delle due Sicilie che rimarrà vassallo? Sentirà dopo il trattato di Vienna, principe, è fonte di tutte le attuali possessioni sovrane, parlaglisi di censo e di chinea; mentre in quel trattato non legge, tra le possessioni nelle quali la Santa Sede è stata reintegrata, il dritto di Signoria sul regno di Napoli? Non avrebbe lo stesso assurdo se il Re di Francia si facesse ora a pretendere di esser Signore della Contea di Fiandra, o che l'Imperatore d'Austria i suoi titoli feudali sulla Germania e sull' Italia rappresentasse?

Santo Padre, nè censo nè chinea, mi permetta che dica con rispetto profondo e filiale, non son materia per cui posso esser chiamato al giudizio di Dio; giudizio che temo infinitamente per i miei peccati, ne posso avere altra speranza di perdono che nel sangue preziosissimo di Gesù Cristo. Censo e chinea sono dritti politici che si acquistano e si perdano per trattati, per convenzione, per prescrizione; in somma, per quei modi con cui i dominj si acquistano, e si perdano, sempre sotto la legge generale delle nazioni, di cui dritti sono i sovrani, a nome di Dio, i sacri depositarj. Sarò dunque sempre l'ubbidientissimo Figlio della Santa Sede; ascolterò le sue voci con profonda sommessione, quante volte mi

ricorderà i miei doveri spirituali: ma in materia di temporalità, valuterò i dritti del Sovrano di Roma con quei principii d' indipendenza che si convengano al mio regno. Soggiugnerò un altra riflessione. Questa distinzione del Sovrano di Roma dal Sommo Pontefice è tanto sacra e santa, che io non me la son presa in nulla col Pontefice, quando il Segretario di Stato del Sovrano di Roma scrisse a Buonaparte, che, se gli stati della Chiesa fossero garantiti, non si avrebbe avuto dubbio di riconoscere Giuseppe Buonaparte come Re delle due Sicilie. Ripeto; il Pontefice era Sovrano di uno stato, e far doveva ogni specie di sacrificio per garantire i suoi sudditi dalla nemica aggressione, e per conservarli nello stato di pace; e forse può anche sostenersi, che politicamente governandosi, il vostro Segretario di Stato saggiamente si condusse; e quindi, se Buonaparte, la garanzia avesse accordata V. S., nella sua qualità di Vicario di Gesù Cristo, avrebbe pianto a calde lagrime sa questa vicenda politica di mia perdizione, ma come Sovrano di Roma, l' avrebbe sanzionata per la legge irresistibile della forza, e per l'altra non men santissima, d' impedire lo spargimento del sangue, ed il cambiamento del governo dei suoi sudditi. Di grazia, sia V. S., nella pienezza delle sue vedute, meco d' accordo a considerare se posso in coscienza lasciar sussistere, a danno dei miei successori, questo addentellato di censo, e di chinea, germe del funesto pericolo della perdita della loro sovranità, nella possibilità di circostanze imperiosissime, in cui coll' andar del tempo potrebbe trovarsi la politica degli Stati Ponteficii. V. S., che fra le tante doti che l' adornano, ha specialmente quella della giustizia, vegga

se possa io rimuovermi dal fermissimo proponimento di non mai acconsentire a prestazione di censo e di chinea; mentre mi dichiaro pronto, per lo bene della pace, quando questa quistione si cumuli con Benevento e Ponte-Corvo, a convenire di un compenso pecuniario, secondo il *memorandum* che gli è stato rassegnato da' suoi plenipotenziarii; unico mezzo da terminare le nostre vertenze temporali; e mi permetta V. S. di dirlo, mezzo conforme ai principii delle stesse leggi ecclesiastiche. Ricorderò a V. S. che secondo i principii canonici, non solo si transiggono i dritti dubbj, ma si può benanche, per causa utile alla chiesa, alienare il fondo. La Sante Sede ha delle obbligazioni pecuniarie, e per lo monte Napoleone, e per lo indennizzamento del Principe Beauharnais; una certa somma l' allevierebbe dalle angustie di aggravare i suoi sudditi. Ponte-Corvo e Benevento non recano alcun vantaggio alle vostre possessioni temporali; sono al contrario di danno gravissimo al mio regno.

L' utile dunque sarebbe comune. Si costituirebbe un ottimo vicinato; l'uno e l'altro sovrano diverrebbero, per reciproco interesse, i più fedeli alleati, per respingere ogni nemica aggressione. La pace regnerebbe tra nostri sudditi, e la Chiesa si disfarebbe di un possedimento, a se non giovevole, ed infinitamente dannoso ad un vicino, che rispetterebbe V. S. come il donatore della quiete del suo stato. Meritavo io, Santo Padre, con queste sante e pie intenzioni, di metter censo e chinea, quando accoppiate fossero collo sradicamento di ogni discordia di vicinato, anche a calcolo di compenso pecuniario; non ostante l' ultimo dritto pubblico fissato dal Congresso di Vienna? Meritavo io, piacemi

di ripeterlo, d'esser minacciato, colla veneranda lettera di V. S. del giudizio di Dio? Comunque io sia pienamente en calma, ed abbia pacatissima coscienza, spiacendomi sempre nel più vivo del cuore, di contradire, nella più piccola parte, a tutto cio che da V. S. mi viene insinuato, col più profondo filiale rispetto la supplico a prendere questa mia replica in dovuta considerazione, et aggiugnere alle tante grazie, delle quali tutto giorno mi colma, quella di tenermi sempre presente nelle sue sante orazioni, per implorarmi da Dio la grazia di governare i miei sudditi secondo lo spirito della sua Divina parola; e mi rimango, chiedendole la Santa Apostolica Benedizione,

(*Firmato*) FERDINANDO.

(*Translation.*)

SIRE,

NOTWITHSTANDING that the silence of your Majesty, who never replied to our letter of the 18th of October last, and the open declaration of your ministers had announced to us, that, on the anniversary of the Festivity of St. Peter, the presentation of the census and hackney, due to this Holy See, would be withheld, yet we confess to your Majesty, that such a proceeding appeared to us impossible.

We cannot forget how warmly we were urged by your Majesty himself, from Palermo, in the letter you caused to be presented to us from yourself, by the Duke of Gravina, to effectuate in that year the said

presentation of the subsidy and steed. May your Majesty recollect what you wrote to us from that city, and what is more, may you remember the vows you there made to God!

Not because the times of tribulation are changed, can our duties change; rather should we find in the change of the times reasons to be grateful for the mercies of the Lord, and to redouble our zeal in the discharge of our obligations. In the letter alluded to, we tell your Majesty, with apostolic frankness, that if you should intend to fail in the performance of your oaths, we shall not fail in ours. The recollection of the pending treaty of ecclesiastical affairs, and the desire of not interrupting its conclusion, which is so important to religion, and which so strongly excites our apostolic solicitude, furnish us with a notice to tranquillize our conscience, and to withhold us this once more from the execution of what we had already declared to your Majesty. But if, from the above-mentioned considerations, we abstain from taking any steps, we will not, however, incur the reproach of not having spoken openly to your Majesty. Sire, we are now upon the edge of the tomb; we tremble at the idea that we must soon appear at the tribunal of that God, before whom also your Majesty must one day appear. The non-execution of duties incurred, the violation of oaths, will not be excusable before Him for worldly considerations. Upon the bed of death, and by the light of that fatal candle, your Majesty will see with different eyes, that which human interests and the enemies of your real welfare now show you under false colours. Your Majesty cannot think that our

interest makes us speak thus. We shall be neither greater nor less, if the hackney is or is not offered to us. But may your Majesty reflect, whether it will one day be equally indifferent to you, the not having presented it to us. Should our voice, which, although unworthy, is still the voice of the Vicar of Jesus Christ, have the misfortune not to find its way now to the heart of your Majesty, you will hear it resound one day at the tribunal of God. May your Majesty be convinced that these sentiments, which may perhaps displease you, come from the heart of a father who loves you, and who desires your eternal salvation, and with all the affection of the soul, we remain, giving you the paternal apostolic benediction,

PIUS P. P. VII.

From the Vatican, 28th June, 1816.

Naples, 26th July, 1816.

TO THE HOLY FATHER,

THE letter, which your Holiness vouchsafed to write to me on the 28th of last month, has deeply grieved me, both by the reproach you therein make to me, for not having answered your letter of the 18th October last year, and by the subject on which you write.

First, I will excuse myself from the reproach, and then with the most profound respect, which I shall profess as long as I live, towards the Vicar of Jesus Christ, I will openly discuss with the immortal Pius VII. the subject of the steed; a right purely political

and temporal, which the Church of Rome believes to be founded, and which the King of the Two Sicilies (even putting aside critical, and diplomatical disputes) cannot and ought not to make good, without injuring his independence, the first and essential right of every sovereignty.

With regard to the excuse; your Holiness's letter, respecting the steed, of the 19th October, was delivered to me by the Cardinal Caracciolo; and after having considered it with the most scrupulous attention, I replied to it on the 21st of November, and I ordered my minister accredited to your Holiness, to deliver my reply into your own hands; and, as your Holiness in that letter had informed me, that you had commissioned Cardinal Caracciolo to speak also upon the presentation of the steed, I ordered my plenipotentiaries not to refuse to discuss this subject in the negotiations of the Concordat; and they afterwards informed me that they had debated upon it with your plenipotentiaries, uniting this pretension with the *inconvenience for the two bordering States*, of the possession of Benevento and Pontecorvo; thus to make it an object of pecuniary indemnification, as treating of a doubtful and disputable right; the only means by which contests have ever been decided between neighbouring Sovereigns or individuals; on one side to avoid litigation, and on the other the annoyance of bad neighbourhood. My plenipotentiaries even informed me moreover, that your plenipotentiaries made a *memorandum* in writing of this discussion, which was read at the ensuing sitting, and then sent to your Secretary of State, without any further answer having been made to it. Your Holiness will

perceive, therefore, that I neglected not to answer your letter, and if amongst your papers, my answer was lost, it is not my fault. In the mean time, that your Holiness may be aware of the terms in which I wrote my reply, I send you a copy thereof, and also as a justification of an inconceivable neglect towards your Holiness, equally sacred from his character, and venerable from the virtues that adorn him.

I now come to your Holiness's letter of the 28th ultimo. Your Holiness therein speaks of the subsidy and steed; of my letters written to you from Palermo, and delivered by the Duke of Gravina; of the vows I made to God; of the oaths taken; of the non-performance of my promises. Your Holiness summons me to the tribunal of God; reminds me of the sacred light which burns by the couch of the dying, to whom God grants the boon of having lived, and of dying in the bosom of the church; and at last you address to me these holy and memorable words, "*Should our voice* "*which, although unworthy, is still the voice of the Vicar* "*of Jesus Christ, have the misfortune not to find its way* "*now to the heart of your Majesty, you will hear it re-*"*sound one day at the Tribunal of God.*"—On reading these words I was filled with holy awe, and humbling myself before God, I besought him with the greatest fervour, to enlighten me with a knowledge of my duties, and above all I desired to recall to my remembrance, if I had made any vow during my residence in Sicily; and after the most scrupulous examination, I could not find that I had made any, excepting that (which was not a solemn vow) of erecting a church to St. Francesco di Paola, as soon as I should have re-

covered my kingdom of Naples. I never vowed to offer a subsidy and steed, nor could such a vow ever enter into my mind; because, if justice had obliged me to this homage, it could not be matter of a vow; if, on the other hand, it was not owing, or even, I go further, if there existed any doubt of right as to the offering, I should have failed in my duty had I paid it, as I should thereby have subjected my state and my subjects to the feudal bond; and from thence would have arisen the absurdity, to the detriment of religion, of a person vowing to God to neglect his duty to his own country. If, from momentary hesitation in a well-poised judgment, I had fallen into such an error, I say that not only your Holiness, who is all-powerful in spiritual affairs, but any confessor would have absolved me from it. The tremendous menace of rendering account to God has led me to examine and investigate the nature and character of the question, and with the understanding which it has pleased God to give me, I have firmly convinced myself of the soundness of the following statement, independently of the investigation of ancient writings, which have at all times demonstrated this pretension of the Church of Rome to be void of all legal foundation.

There was a time when everything in Europe assumed the feudal forms. The chain of nobles and of vassals had so many links, that the Kings of France, the Emperor of Germany, the Church itself, on one side rose to the highest link of lords, and on the other descended to that of vassals. In fact, feudality was the constitutive principle of political economy; every country, every state, every person, either considered himself

as lord or vassal; and sometimes from different possessions, the same state, or the same person, represented and endured in greater or less degrees, the two qualities of lordship and feudal subjection. This same principle of feudality gave rise to the feuds oblate, a species of voluntary servitude, which in those times was amply compensated by great advantages. The Church, ever firm and invariable in the dogma, and in the discipline inherent to the dogma, equally wise in temporal affairs, constantly conformed to the times and systems of political economy with regard to her possessions and temporal rights: hence, while the Roman Empire governed the world, she was in temporal matters a subject; when the Roman Empire was dissolved, she became by just title a political Power. She adopted the feudal system in her states, because everything was then feudal; her temporal power increased and diminished by treaties and conventions; in short, by those different means, by which sovereignties rise and fall. It is in consequence of those political and diplomatical conventions that she has obtained the possession of her states, always subject to those necessary vicissitudes which the general system of the age brings upon governments.

In fact, was not the glorious predecessor of your Holiness obliged, by a solemn treaty, to cede the Legations? and has not your Holiness regained, with a slight diminution, their possession by a political convention which the powers assembled in congress at Vienna sanctioned, in order to give peace to the world? There is, therefore, nothing invariable, save the dogma, because revealed by God. In temporal affairs the church

conforms to the times and to circumstances. Feudality, Holy Father, is over in Europe. Germany, which retained it the nearest to its ancient form; France, Poland, Italy, the Low Countries, are no longer fiefs, have no longer vassals. The Emperor of Germany, the kings of France, have solemnly abdicated every feudal right; Italy, full of imperial fiefs, already remembers not their name. Is the kingdom of the Two Sicilies, then, alone to remain a vassal? Is it, after the treaty of Vienna, the foundation and principle of every existing sovereign possession, to hear speak of homage and a steed; whilst in that treaty no mention is made amongst those possessions in which the Holy See has been reinstated, of the right of lordship over the kingdom of Naples? Would it not be equally absurd if the king of France were now to pretend to be lord of the county of Flanders, or if the emperor of Austria should attempt to assume his feudal rights in Germany and Italy?

Holy Father, permit me, with profound and filial respect, to say that neither the offering of homage, nor of a steed, are subjects for which I can be called to the tribunal of God; a tribunal which I greatly fear on account of my sins, nor can I hope for pardon excepting in the precious blood of Jesus Christ. Homage and the presentation of a steed are political rights which are acquired and lost by treaties, by conventions, by prescription; in short, by those means by which dominions are acquired and lost, always under the general law of nations, of whose rights sovereigns are, in the name of God, the sacred depositaries. I shall, therefore, ever be the most obedient son of the Holy See; I shall listen

to its voice with profound submission, whensoever it calls me to my spiritual duties: but in temporal affairs, I shall weigh the rights of the Sovereign of Rome with those principles of independence which are adapted to my kingdom. I will add another reflection. This distinction between the Sovereign of Rome and the High Pontiff is so sacred and holy, that I took no umbrage at the pontiff, when the secretary of state of the sovereign of Rome wrote to Buonaparte, that, if the papal states were guarantied, there would be no difficulty in recognising Joseph Buonaparte King of the Two Sicilies. I repeat it; the Pontiff was sovereign of a state, and it was his duty to make every species of sacrifice to save her subjects from the aggression of the enemy, and to maintain them in a state of peace; and perhaps it may be even granted, that, in a political sense, your secretary of state acted wisely; hence, if Buonaparte had given the guaranty, your holiness, in your character of Vicar of Jesus Christ, would have wept over the political vicissitudes causing my perdition; but, as sovereign of Rome, would have sanctioned it, impelled by the irresistible law of force, and the no less sacred obligation of preventing bloodshed, and the changing of the government of your subjects.

I entreat your Holiness, in the plenitude of your judgment, to agree with me in considering whether I can, in conscience, allow the existence, to the injury of my successors, of this touchstone of census, and the offering of the hackney, which, supposing that in the course of time, the policy of the Papal States should find itself in critical circumstances, might engender the fatal risk of the loss of their sovereignty.

Your Holiness, who, amongst the various qualities that adorn you, so eminently possesses that of justice, will see if I can waver in my firm determination, never to consent to the offering of homage and a steed; whilst I declare myself ready, for the sake of peace, whenever this question shall be amalgamated with that of Benevento and Pontecorvo, to agree to a pecuniary compensation, according to the memorandum delivered to you by your plenipotentiaries; the only means of terminating our temporal disagreement; and allow me to say, means which are in conformity to the principles of the ecclesiastical laws.

I will remind your Holiness, that, according to the canonical principles, not only are doubtful rights to be discussed, but, if useful to the Church, the foundation of them may be set aside. The Holy See has pecuniary obligations, both on the Mont Napoleon, and for the indemnisation of Prince Beauharnais; a certain sum would relieve the Papal government from the affliction of oppressing its subjects. Benevento and Pontecorvo are of no advantage to your temporal possessions; they are, on the contrary, of the greatest injury to my kingdom: the benefit, therefore, would be mutual. An excellent neighbourhood would be formed; both sovereigns would become, for their reciprocal interests, the most faithful allies, to resist every inimical aggression. Peace would reign amongst our subjects, and the Church would be relieved from a possession useless to her, and extremely injurious to a neighbour, who would look up to your Holiness as the giver of tranquillity to his country.

Have I deserved, Holy Father, with these holy

and pious intentions of submitting the census and the hackney (since they would be accompanied with the eradication of all discord between neighbours) even to a calculation of pecuniary compensation; notwithstanding the last public right fixed by the congress of Vienna? Have I deserved, I repeat it with satisfaction, to be menaced in the venerated letter of your holiness, with the judgment of God? Although I am perfectly calm, and have a pure conscience, yet as it must ever cause me heartfelt grief to oppose, in the slightest degree, whatever your Holiness suggests to me, I entreat you, with the most profound and filial respect, to give due consideration to this answer of mine, and to add to the many favours which you daily heap upon me, that of remembering me in your holy prayers, to implore for me, from God, the grace to govern my subjects according to the spirit of his divine word; and I remain, beseeching the holy apostolic benediction,

(*Signed*) FERDINAND.

FINIS.

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QUIDAM'S

6

LETTERS,

RELATIVE TO THE

CHURCH OF ROME.

London:
JOHN HATCHARD AND SON, 187, PICADILLY.
Dublin:
Bentham & Gardener, 40, Westmorland-street; R. M. Tims, 85, Grafton-street.
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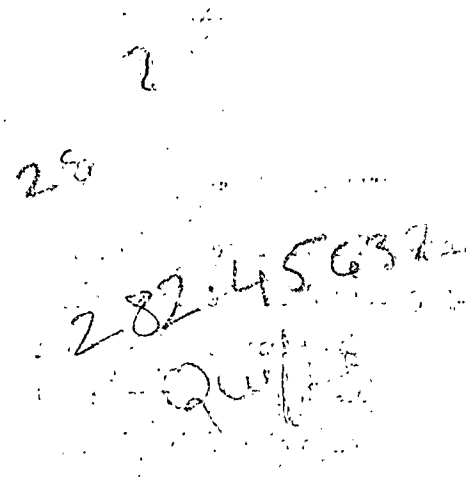
1825



PREFACE.

THE Letters now collected in the form of a pamphlet, were originally published in the Cork Constitution and the Limerick Irish Observer. They were addressed to the Editors of those journals; but they respect the papers communicated by three Romish gentlemen, who have written under the several signatures of "NEMO," and "CATHOLICUS," and "A MODEST INQUIRER."

I have ever thought, that the very hinge of the controversy between Popery and Protestantism, is *the claim of Infallibility put forth by the Church of Rome*. Hence I have ever thought, that it would tend greatly to simplify and perhaps to shorten the controversy, if, omitting subordinate points of dispute, we could agree *first* to discuss this palmary

question, the reason is obvious. If the Church of Rome can *establish* her claim of infallibility, the controversy is forthwith at an end; and both parties will have saved themselves much trouble in contesting the outworks. If, on the contrary, the Church of Rome be *unable* to establish her claim of infallibility, then, as an interpreter of Scripture, she stands exactly upon the same footing as any other church; and the doctrines which she propounds, must be subjected to exactly the same scrutiny, as the doctrines which any other church propounds. Thus, on the first supposition, the controversy, to the unspeakable comfort of those engaged in it, will be materially shortened; while, on the second supposition, it will be greatly disentangled and simplified.

Impressed with these sentiments, I have amicably invited either Doctor Curtis, or Doctor Doyle, or Doctor Coppinger, or any other Romish gentleman, *distinctly to propound the evidence, on which rests their Church's claim of Infallibility.* Such a claim, if valid, must rest upon *sufficient evidence.* It cannot be expected of any reasonable man to believe, that the Church of Rome *is* infallible, merely because she *claims* the privilege of infallibility. In making the claim, she must have *some good cause* for making

it: for it were palpably absurd to prefer *a confessedly groundless claim.* Now this *cause,* I apprehend, can only be *the evidence of whatsoever kind, by which the claim is supported.* Hence I deemed it no way unfair to request of any Romish gentleman, whether clerical or laic, *a distinct statement of the evidence in favor of Latin Infallibility.* This infallibility is either *capable of proof,* or *incapable of proof.* Let it then be *proved;* and great glory will accrue to the Roman Church, by the immediate submission of every rational Protestant: for I scruple not to say, that, *if Infallibility be once established by sufficient evidence,* every Protestant, who shall henceforth impugn the decisions of the Church of Rome, will be *nullo non anathemate dignus.*

Such was the courteous invitation, which I have given to the gentlemen of the Latin Church, as holding out a probably short and a doubtless satisfactory mode of adjusting our differences; but I regret to say, that this invitation has not hitherto been accepted. We Protestants therefore at present merely know, that the Church of Rome DOES claim infallibility: WHY she claims it, is a mystery, I presume, which ought not to be rashly communicated to the profane.

The reader will observe, that I have cautiously and systematically refrained from the introduction of politics. Party spirit, whether theological or secular, is an inveterate enemy to truth. If secular party spirit then be joined to theological party spirit, the evil is doubled: and difficult indeed it is for truth to gain access to minds thus complexly irritated. My wish has been simply to consider some of the points at issue between Popery and Protestantism on their own abstract merits, without the slightest reference to politics. What my individual sentiments may be, respecting the secular measures of government and the full admission of our Romish fellow-subjects to political power, I think it no way necessary to declare. This, at any rate, is *quite clear*, though in the violence of party feuds it is too much overlooked, that, whether the *political* creed of the modern Romanists within the King's dominions, be orthodox or unorthodox, that circumstance cannot in the most remote degree affect their *theological* creed. In the eye of reason, though (I fear) not in the eye of passion, a feeling of political injury, whether that feeling be well or ill-founded, can never be deemed a valid argument in favour of the peculiar doctrines of the Romish Church. Those doctrines are not a

jot more true, because political power is at present withheld from the Latins: nor will they become a jot more false, should political power be ever conceded. On every account, therefore, I have, in these letters, cautiously refrained from all introduction of politics. It is wholly out of my province to write as a statesman: I am content to view the question merely as a theological inquirer.

ENGLAND, *Feb.* 3, 1825.

QUIDAM'S LETTERS.

LETTER I.

To the Editor of the Cork Constitution.

SIR, ENGLAND, Nov. 8, 1824.

I HAVE read with much attention, the letter signed NEMO, which appeared in one of the Cork papers, of October 23, 1824. Since it seems only fair, that *both* sides of the question should be heard, I take the liberty of transmitting the following answer to him.

The grand argument of the Romish church, which in truth forms the basis of Nemo's letter, I take to be this:

Respecting the interpretation of Scripture, a great difference prevails among those who have renounced the authority of the church of Rome. Now, it is very generally acknowledged by these very persons, that the most legitimate and the most effectual mode of settling differences, must needs be to call in the primitive church as an umpire. For they, who conversed with the apostles, must have known the mind of the apostles; and

they who were instructed by the successors of the apostles, must have received the doctrines which those successors themselves had previously received from their own apostolic instructors. Thus far all parties are agreed; but, to dissidents from the church of Rome, here commences the difficulty. In receiving the system of exposition, confessedly derived in the first instance from the apostles, where shall we stop? The venerable catholic church, over which presides the patriarchal bishop of Rome, has, at this moment, her own system of doctrine, which she contends to be the undoubted mind of Scripture. Her prelates and her priests, those rightly constituted depositories of the truth, received the system in question from their predecessors. These predecessors, in like manner, received it from *their* predecessors; and *their* predecessors from the sacerdotal generation by which they themselves had been similarly preceded. Thus, step by step, the system continues to mount, until at length it reaches that point of elevation, to which even dissidents from the church of Rome are willing to look up with reverence and submission. Where then are we to draw the line? At what specific round does the spiritual ladder become unsafe? Shall we admit the decision of the church in the first and second centuries: and shall we reject the decision of the church in the third and fourth? If we appeal to the church in the second century, why not to the church in the third? If to the church in the

third, why not to the church in the fourth, or fifth, or sixth, or seventh, or eighth? If, in short, we hear with submission the primitive catholic church which had been instructed by the apostles and their immediate successors, why, on the sufficiently intelligible principle here laid down, do we refuse to hear the catholic church of the nineteenth century?

This argument, which I am willing to hope has not suffered in my hands, is, if I mistake not, the true basis of that infallibility, which, under the not perfectly legitimate name of *the catholic church*, is claimed by the present Latin church of the western patriarchate of the Roman empire. Now, as the Latin church, though its *exclusive* right to the style and title of the *catholic church* may well be disputed, is doubtless of apostolic foundation; the extreme plausibility and speciousness of the argument now before us, is readily admitted: whether it will bear that severe sifting, which its advocates must expect it to undergo, is the matter to be tried.

1. It cannot fail to strike the cautious inquirer, even on the first survey, that the present argument is a complete theological *Sorites*. Hence, by the rules of just reasoning, its very conformation leads him to doubt its soundness. In truth, the fallacy of such an argument may be detected without any superabundant labour of intellect.

1. If, upon an average, we assign thirty years to a sacerdotal generation, we shall have some sixty ecclesiastical generations from the time of the

apostles down to the present day; and, on the other hand, in an appeal to the primitive church, we shall receive a system of doctrines transmitted, through a medium of only two or three, or four generations, direct from the apostles themselves.

Now, with whatever ingenuity the theological *Sorites* may have been constructed, plain common sense will readily discern, that there is a wide difference, between the transmission (we will say) of the vital doctrine of Christ's divinity from John to Irenus, through the single intervening link of Polycarp; and the alleged transmission of an immense mass of doctrines, widely differing from each other in point of importance, through a chain of no fewer than sixty links.

In the first case, we instinctively yield to the express assertion of Irenus, which has not been handed down by vague tradition, but which by *himself* has been committed to durable writing, open to the inspection of the whole world; and we the rather yield to it, because we find it corroborated by a direct appeal to the churches of proconsular Asia, all of which the venerable bishop of Lyons declares to have received from Polycarp the same doctrine that he himself had done.

But, in the second case, we are invited to believe, that, through sixty long descents, there has never been the least variation, on the part of a single authoritative individual, in the transmission of a huge pile of doctrines, which, in the scale of relative importance, stand most differently graduated.

According to what may be called *the philosophy of evidence*, it is difficult to believe, that such doctrines, as those of the Trinity and the Godhead of Christ, could have been INVENTED at *any* period; and it is utterly impossible to believe, that they could have been first introduced into the church by Irenus or by Justin, when the former declares in the face of the whole world, that he had them from John, through the single link of Polycarp; and when the latter, who flourished even somewhat earlier than Irenus, assures us, that he and the whole body of his contemporaries were ready to impart them to others, as they themselves had received them from a generation of predecessors, who, by the very necessity of chronology, must have conversed with the apostles.

But, according to the same philosophy of evidence, there is not the slightest difficulty in conceiving, that a variety of doctrines, which no Romanist will venture to place upon the same footing as those of Christ's Godhead and the Trinity, may have been gradually and successively brought into the church, during the long and dark period of many centuries, by the inventive brain of this or of that speculative individual.

2. The vanity of depending upon such an argument, as that which the church of Rome is wont to adduce, will yet further appear, if we attend to the case of another exactly parallel theological *Sorites*.

According to the Levitical church as it flourished in the time of our Lord, when God on the

summit of Mount Sinai gave the written law to Moses, he communicated also to him another explanatory law, which was not written, but which from generation to generation was carefully handed down from Moses himself by the successive doctors of the Sanhedrim.

Now on the principle of Soritic reasoning, there can be no doubt of the authenticity of the Mishna: The rabbins, who were contemporaries of Christ, had received it from their predecessors; and these predecessors had, in like manner, received it from their predecessors, who again had received it from a yet prior generation, until at length, step by step, we ascend the spiritual ladder of rabbinical tradition, to Moses in actual conference with the Most High on the top of Mount Sinai. For where shall we draw the line? What Jew could first introduce the Mishna into the Levitical church? What was his name, and what was his father's name? If the pedigree of the Mishna be well ascertained in the degree upward from the time of our Lord; shall we say, that it is ill-ascertained in the second degree? Or if we admit the soundness of the second degree, shall we deny that of the third?—At what point then, short of Moses on Mount Sinai, shall we stop? The Sorites is complete: and if we deem soritic reasoning conclusive, we must inevitably admit the Divine authority of the Mishel.

Yet what spake Essential Wisdom himself, respecting the claim now before us? "Ye have made the commandment of God of none effect by your

tradition. In vain they do worship me, teaching for doctrines the commandments of men. Every plant which my Heavenly Father hath not planted, shall be rooted up. Let them alone; they be blind leaders of the blind. And if the blind lead the blind, both shall fall into the ditch."

If then the Sorites of the old Levitical church was expressly declared by Christ to be a specimen of false and inconclusive reasoning; on what intelligible principle are we compelled to admit, that the exactly parallel Sorites of the Romish church must doubtless be received, by all true believers, as sound logic?

3 Possibly it may be said, that the catholic church is by special grace secured from error, while no such exalted privilege was accorded to the Levitical church.

I shall not stop to inquire, where the promise exists, that even the catholic church, and still less therefore the mere provincial Latin church, shall, in every the minutest point, be supernaturally preserved from all doctrinal and practical error. I shall not stop to seek for what it may be difficult to find. Plain and simple and well-attested facts lie before us; and to them, in settling this matter, we may very safely appeal.

(1.) The high Romanists have, I believe, contended for the personal infallibility of the pope.

In that case, how are we to reconcile the declaration of pope Gregory with the elevated pretensions of his successors? "Whoever claims the universal

episcopate," said Gregory at the latter end of the sixth century, "is the forerunner of antichrist." Now this identical universal episcopate, as we all know, has been subsequently claimed by a long succession of Roman pontiffs. If then infallibility rest with the pope, who are we to believe, Gregory, or his successors?

Again: during the period of the great schism, there were at one time no less than three contemporary popes, all asserting papal infallibility—all claiming to be of the church catholic—all mutually banning each other as an undoubted *antichrist* with bell and candle. Now it is clear, that every one of these three persons cannot have been in the right.—Two, out of the three must inevitably have been mistaken: and yet the claims of the two antichrists were not a whit less strenuous and emphatic than the claims of the genuine vicar of Christ. On the principles of the Romanists, one of the three *must* have been that vicar: or the catholic church were left during a long period, in the unsatisfactory condition of heedlessness. But all the three claimed the vicariate; and all the three mutually anathematized each other, as antichrists, and wolves, and deceivers, and Judases, and sons of perdition. If all the three were infallible; then were there three antichrists in the church; for each pronounced his two rivals to be respectively an antichrist. If no one of the three was infallible, then the dream of papal infallibility is at an end. If one of the three was infallible, while

the other two were antichrists; by what marks are we to distinguish the two antichrists from the genuine vicar? To settle the claims of the three rival pontiffs and at the same time to preserve the infallibility of the papacy, would I think, puzzle a wiser man than good king Sobrino himself.

(2) But the more moderate Romanists, if I mistake not, while they claim infallibility for the catholic church, deny it to the pope; supposing that exalted privilege to be lodged, as a sacred deposit, with each general council.

Were I member of the Romish communion, I should certainly, in the abstract, prefer this hypothesis to the other; for, in a multitude of counsellors, there is wisdom. But I fear, if we resort to stubborn facts, that even a multitude of counsellors are sometimes liable to be mistaken. It stands upon record, that general councils, upon points both of doctrine and practice, have decided in plain and palpable opposition to each other. Under such circumstances, what becomes of conciliar infallibility? Two jarring councils cannot BOTH be in the right; and, if a single general council be convicted of error by the counter decision of another general council, the phantom of infallibility flits away like an airy vision of the night, through the ivory gate of the great Latin poet.

II. How then, it may be asked, in these latter days of the world, are we to settle disputed points of doctrine and practice?

An answer not altogether unsatisfactory, may, I think be given to this important question, without calling in the aid of a pope or a council.

I. As the Bible is confessedly the revealed will of God, and as no one pretends, that we possess any other revelation, we must evidently begin with rejecting every doctrine, and every practice founded upon doctrine, which are acknowledged to have no foundation in holy writ.

This process will at once sweep away a large chaotic heap of mere human innovations, which encumber the Roman church, worse than any *impedimenta* ever encumbered a Roman legion, and which (she may be assured) will never be adopted by those who take their divinity from Scripture alone. For where is the *scriptural* authority for venerating and invocating, however such veneration and invocation may be explained and modified, saints, and angels, and relics, and crosses, and above all the holy mother of our blessed Lord, most infelicitously decorated with the pagan title of *queen of heaven?* Where again is the *scriptural* authority for the enforced celibacy of the clergy? In what part of the entire New Testament or of the canonical Hebrew Scriptures do we learn the doctrine of purgatory and the consequent practice of praying for the dead? All these and various other matters, as the Romish priests well know, rest upon the mere authority of the church of the middle ages, more especially of the La church. Consequently, since these phantasies c

no more be found in the Bible, than the legends of the Jewish Mishna can be found in the Pentateuch, those, who teach them, teach for doctrines (as our Saviour expresses it) the commandments of men.

2. Other tenets still remain, which, unlike the last, *profess* at least to be built upon the sure foundation of Holy Scripture. Here our business is reduced to a point of *interpretation*, and the question obviously arises—*Who is to determine, which interpretation is the truth?*

The Romanist will say, consult the catholic church, the sole judge and depository of the truth.

This may be very good advice, in the abstract; but the question is, how such advice is to be followed?

At what chronological epoch are we to consult the catholic church? I have already shown, from mere stubborn facts, the utter inutility of an application to discordant popes, and jarring councils. They, who cannot agree among themselves, are but indifferent guides of the doubtful; and, if we receive the decision of one pope, or of one council, we are forthwith staggered by the opposite decision of another pope or another council. The Romanist, therefore, must not only advise us to consult the church; but he must further teach us, both *how* and *at what specific period* that church is to be consulted. If he recommends the *last* pope and the *last* council, he then, *ipso facto*, renounces the infallibility of those popes and those councils, which most unhappily have decided differently

from their successors; and if he renounces the infallibility of *earlier* popes and *earlier* councils; I tremble for the tottering infallibility of those *more recent* guides whom he advises us to follow.

What then is to be done? what umpire shall we call in to settle the doctrinal disputes of so many rival sects, each of which claims to be in the right?

I see not, what more rational mode we can adopt, than to appeal to THE PRIMITIVE CHURCH. Should such a plan be assented to, the case, I apprehend, will stand as follows:—Where the primitive church, in her yet existing documents, is explicit, we must submit; where she is silent or ambiguous, we must even be content still to differ among ourselves in opinion. The most determined Romanist will scarcely, I should apprehend, venture to place the doctrines of *Transubstantiation* and *the papal inheritance of St. Peter's alleged authority* upon the same ground, as the doctrines of *the Trinity* and *the Atonement* and *the Godhead of our Lord;* nor can we build upon their necessity, as articles of faith, any further than upon the principle that they have been so determined by the authority of the church to which he belongs. Well then may we here apply that excellent rule, the due observance of which would have saved the catholic church from much disgrace and much calamity: *In things necessary, unity; in things not necessary, liberty; in all things, charity.*

With respect to such doctrines, as cannot be clearly and distinctly traced up to the first ages, we are bound, I think, to reject them on the mere score of palpable innovation. Such was the avowed plan of the primitive church; and I am unable to discover any solid objection to it. The canon is given by Tertullian! and to this canon the united church of England and Ireland, which has simply rejected glaring novelties, and returned to the old paths, fears not to appeal.—WHATEVER IS TRUE, IS FIRST; WHATEVER IS LATER, IS SPURIOUS.

3. NEMO dwells largely upon the impossibility of proving, without the authority of the church of Rome, either that the Bible is really the word of God, or that any present canon is legitimate.

I much regret, that language so very incautious should have been used; more especially since it is used but too evidently for the mere purpose of subserving the interests of the Romish church. Such crude and unskilful assertions can answer no end, save to open a wide door to profaneness and infidelity. For, if at the present day, the canon cannot be settled without the aid of the Romish church, and if popes and councils by their own notorious discrepancies have effectually dispelled the day-dream of infallibility, we must be content to resign ourselves to the dominion of an universal scepticism. The language however of Nemo is no less characterized by inconsecutiveness, than it is pregnant with danger to the best interests of religion.

If we ask, upon what basis the authority of the Romish church is built; we are told, that it rests upon the sure foundation of inspired Scripture. If again we ask, upon what basis the authority of Scripture itself is built; we are forthwith informed, that it rests upon the sole authority of the Romish church.

Should our Latin brethren in Ireland have succeeded in attaining a distinct conception, *how the Romish church can rest upon the authority of Scripture, while Scripture rests upon the sole authority of the Romish church;* I can only bless their ingenuity. On our English side of the water, possibly with the exception of the collegiate seminary at Stonyhurst, *to prove the authority of the Romish church from the Bible, and the authority of the Bible from the Romish church,* is thought to be cousin-german to that modification of logic, which is usually called *the circulating syllogism.*

Happily, however, we have no occasion to subject christianity to the sneer of the infidel by Nemo's most infelicitous project of arguing in a circle. To establish the canon of the Hebrew Scriptures, we appeal to the testimony of the ancient Levitical church, whose even superstitious care of the sacred text is notorious, and upon whose honesty in this respect, not a blot is cast either by our Lord or by his apostles: to establish the canon of the new covenant, we appeal to the testimony of the primitive church of Christ, through her yet existing invaluable documents. While the Jews,

under the sanction of Christ and his apostles, vouch for the canon of the Hebrew Scriptures; and while Irenus, Tatian, Clement of Alexandria, Tertullian, Origen, Eusebius, Athanasius, Cyril of Jerusalem, Epiphanius, Gregory Nazianzen, Philestrius, Jerome, Ruffinus, and Austin, give us, either severally or collectively, without the addition of a single apocryphal book, the identical canon of the New Testament, which we now possess: while we can produce this *ancient* evidence to our present canon of the entire Scriptures, as received by the united church of England and Ireland;—we perceive not the necessity of accepting Nemo's invitation to call in the *modern* evidence of the present church of Rome. The books, which the primitive church received as canonical, we also receive as canonical: the authority of those books rests upon the inspiration of their writers: and the inspiration of their writers is demonstrated by the miraculous powers and high commission, with which they were invested. If we wish to mount yet higher, the general facts of the original propagation of christianity, must be demonstrated according to the fixed laws of historical evidence. The very testimony of the Romish church, such as it is, can only be a branch of historical evidence, and must be scrutinized accordingly. Nor could the matter be ordered otherwise, without the intervention of a repeated miracle to convince every succeeding sceptic, who might please to doubt.

It may be said, that, while I charge Nemo with arguing in a circle, I myself fall into the same paralogism; for if *he* settles the canon of Scripture by the authority of the Romish church, *I* settle it by the authority of the primitive church. In each case therefore the canon is made to rest upon the authority of that very church, which itself derives its authority from the canon.

This I venture to deny,—I appeal not to Eusebius and the other ancient writers whom I have mentioned, as *authority*, but as *evidence*: whereas, Nemo appeals to the Romish church, not as *evidence*, but as *authority*. And here lies the fallacy of his whole argument. If he be content to adduce the Romish church as *evidence*, let that evidence avail as far as it may avail; but, in that case, the gross absurdity of maintaining, that we have no *other* evidence than that of the Romish church, and that we cannot either know the Bible to be God's word, or settle the sacred canon *without* the modern evidence of the church of Rome, will forthwith stand out naked and undisguised. The evidence for the true canon of Scripture *is the* testimony of the ancients: and, to *this* evidence, we have just as free access as the Romanists; nor do we require the instructions of the Vatican to enable us to read and understand the early ecclesiastical writers. The *authority* of the Romish church, in the settlement of the canon, is just nothing: her *evidence* is of no weight any further, than as it agrees with the evidence of the ancients.

QUIDAM.

LETTER II.

To the Editor of the Cork Constitution.

ENGLAND, Dec. 9, 1824.

SIR,

WHILE Nemo is preparing materials to answer my last communication, I avail myself of a leisure hour to send you some additional remarks on a part of his letter, which want of room prevented me from discussing with the copiousness which it deserves. I allude to his very curious speculations on the establishment of the canon of Scripture, by the sole dogmatical authority of the catholic church; whence he draws the appalling, though happily not quite legitimate conclusion, that those who renounce the authority of the provincial church of the great western Patriarchate, commonly called the *Latin church*, or the *church of Rome*, can have no certainty, as to what is, and what is not, the inspired word of God.

I.—The speculation of Nemo, unless I wholly misunderstand him, may be stated in manner following:

So great is the authority, and so indubitable is the infallibility of the catholic church, that she alone is privileged dogmatically to determine what writings shall be admitted into the sacred canon, and what shall be excluded from it. This

authority extends to the very compositions of the Apostles themselves, which are to be received or rejected solely according to the decision of the catholic church: and the point is fully proved, says Nemo, because, while the catholic church has determinately fixed the canon of the New Testament to its present form, she has authoritatively rejected an epistle actually written by the apostle Saint Barnabas, and another epistle actually written by the apostle Saint Paul to the Laodiceans.

From such an account of the matter as given by Nemo, the process of settling the canon seems in his judgment, to have been this: the catholic church, in the plenitude of her power and infallibility, fixes a day, when she will proceed to determine on the claims of the apostles and other inspired writers. In pursuance of her authoritative requisition, these holy men right humbly attend, cap in hand, to learn the fate of their respective compositions. The four Gospels, as we now have them, are received: and while Luke additionally procures the reception of the Acts, St. John carries sufficient weight to gain admission also for three epistles, and the book of the Apocalypse. Peter is gratified by the acknowledgment of two epistles: and James is complimented by the insertion of one epistle. Paul is fortunate enough to procure a place for no less than thirteen epistles: but, wishing additionally to introduce a fourteenth epistle, addressed to the Laodiceans, he is told by the catholic church, that his request cannot be

granted; and the epistle in question is cashiered without further ceremony. Last comes Saint Barnabas, bearing in his hand his catholic epistle; and urging its reception into the sacred canon. The church however, will not listen to his request for a single moment. Nemo assures us, that his petition was forthwith rejected; and doubtless the most obstinate protestant within the King's realm of Great Britain and Ireland, must fairly confess, that no such epistle is to be found in the canon of the New Testament. The luckless composition, though the work of an apostle, was unceremoniously excluded: and Barnabas put the best face he could upon the public affront, thus offered to his undoubted authorship, and to his *asserted* inspiration.

Such, so far as I can understand Nemo, is the theory, which he has undertaken to advocate; and the edifying moral of this speculation is so plain, that he who runs may read it. How great and how venerable must needs be the authority of the catholic church, now happily identified with the western church of Rome, when she sits in judgment, without the possibility of error, upon the very apostles themselves; for, while she admits thirteen epistles of St. Paul, she rejects an equally genuine fourteenth epistle; and with it, she discards a no less genuine epistle of the holy apostle St. Barnabas!! Great indeed, as Nemo justly concludes, and plainly irresistible must be an authority, which extends over the compositions

of the very inspired apostles themselves!! And, as that authority is still undeniably possessed by what Nemo and his friends are pleased to call *the catholic church*, who but a besotted heretic would think of opposing it?

2. My account of Nemo's lucubrations may perhaps wear the aspect of a caricature, but I only beg your readers to advert to his letter, and then judge for themselves, whether it can be differently understood. As a puzzling question to us graceless protestants, Nemo begs to be informed, why, save on the mere authority of the church, we reject from the canon the catholic epistle of St. Barnabas, and the epistle of St. Paul to the Laodiceans, while we receive the New Testament in the form which it now bears; whence, he adds, it clearly follows, that the church, by her sole authority, admits or rejects at pleasure, the writings even of the apostles themselves. Such is the question; I shall now proceed to answer it; and I trust, in the course of the answer, an account of the formation of the canon will be produced, both more agreeable to plain common sense, and more consonant with a decent reverence for the inspired writers, than the extraordinary speculation which Nemo has not very prudently recommended to the acceptance of his sharp-witted countrymen.

The word *authority* is ambiguous. We say, that we receive the account of the plague at Athens on the *authority* of Thucydides: by which we mean not to intimate that Thucydides had equal

authority to assert or to deny the fact according to his own sole good pleasure; but we only mean to say, that we receive the account on the testimony of that historian. We also say, that an act is received on the authority of the legislature: by which we mean not to state, that the act rests upon the testimony of the legislature; but we mean to intimate, that it has become law by *the direct authoritative enactment* of the legislature, the legislature having equal power to pass it or not to pass it, according to their own good pleasure.

Now this same word *authority*, as applied to the church in regard to the canon, is employed by NEMO and myself respectively in these two entirely different senses. Nemo receives the canon on *the dogmatical authority* of the church, which he pronounces fully competent to disfranchise the compositions even of the inspired apostles themselves; I, on the contrary, receive it on *the evidential authority* of the church, just as I receive the fact of the plague at Athens, during the Peloponnesian war, on the authority or testimony of Thucydides.

The following is my view of the matter: The inspired composition of an apostle, when KNOWN to be the inspired composition of an apostle, the catholic church could not but receive into the canon: nor did the primitive church, with the impious absurdity so rashly and ignorantly ascribed to her by Nemo, ever dream of sitting in judgment upon the works of inspired writers, when KNOWN

to be such; for the purpose of arbitrarily accepting *this*, or arbitrarily rejecting *that*. But it is perfectly easy to conceive, that a really inspired apostolic document, some years after its original production, might reach a distant church; and yet that church, when first the document reached it, might have no certain information, whether the document *was indeed* what it *purported to be*. Thus a copy of St. Paul's undoubtedly genuine epistle to the church of Ephesus, might be brought by an Asiatic traveller to the remote church of Rome; and yet, though the epistle was genuine, the church of Rome for a season would obviously not KNOW that it was genuine. Now, under these circumstances, which must again and again have happened in the early ages, what was to be done? Doubtless the church of Rome, or any other church in a similar situation, would for a season SUSPEND her judgment. A document, purporting to be the work of an inspired writer, has been received from a distance. As yet she KNOWS not that it is genuine; but she forthwith institutes a diligent INQUIRY; and, when she has ASCERTAINED its genuineness by sufficient evidence, she then admits it into the sacred canon. This I take to have been the rational and perfectly intelligible process, by which the canon of the New Testament was established; and this will fully account for the well-known fact, that several of the writings, now universally admitted into that canon, were for a season (what is technically styled) αντιλεγομενα or

spoken against. The fact in question, according to *my* view of evidence, so far from throwing any doubt or discredit upon the writings so circumstanced, is in truth, the very strongest proof of their indubitable genuineness; for, when the extreme care and jealousy of the primitive church is considered, the genuineness of those writings is most amply demonstrated by the very circumstance of their *final* admission into the canon.

From what has been said, it appears, that the primitive church, in settling the canon of the New Testament, never thought of the strange presumption of sitting in judgment upon the KNOWN compositions of the inspired writers; but only made diligent INQUIRY into the claims of those compositions which were presented to her, whether they WERE OR WERE NOT what they PURPORTED to be. If, upon INQUIRY, the genuineness of such a composition was ASCERTAINED, it was forthwith received into the canon, as an authentic portion of God's word; but if, upon INQUIRY, its spuriousness was DETECTED, it was forthwith thrown aside, as a manifest imposture.

I am inclined to think, that, if Nemo will take the trouble of examining ecclesiastical antiquity, instead of indulging the Irish public with his own insulated lucubrations, he will find my statements to be reasonably accurate. The mighty authority of the church, says Nemo, was evinced by the circumstance of her rejecting from the canon, both an epistle *actually written* by the inspired apostle,

St. Barnabas, and an epistle *actually written* by the inspired apostle St. Paul. Such is the instruction, which Nemo affords to the Irish public; but the voice of antiquity, I fear, will not bear him out. The epistles in question were rejected, not by the mere dogmatical authority of the church, though they were KNOWN to be the genuine productions of two inspired apostles: but they were rejected, on the express score of their *detected* SPURIOUSNESS; on the express score, that they were NOT WRITTEN by Barnabas and by Paul. With respect to the pretended epistle to the Laodiceans, though offered to the church with all the authority of the heretical Marcionites, it was disallowed, on the special ground, as Epiphanius assures us, of being an epistle *which existed not among the genuine works of the apostle Paul,** and, as for the catholic epistle which bears the name of Barnabas, Eusebius teaches us, that *it is to be reckoned among documents confessedly spurious;* whence of course it is not to be admitted into the canon.† The primitive church, after a full examination into their claims, rejected both these epistles, not (as Nemo would persuade us) by a mere act of dogmatizing authority, but on the specific ground of their DETECTED SPURIOUSNESS. In truth, they were no more written by Paul and Barnabas, than they were written by Nemo and myself.

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* Της μη ουσης εν αποστολαις Epiph. Hær. xlii. p. 375.

† Εν τοις νοθοις καταταττεσθω—η φερομενη Βαρναβα επιστολη. Euseb. Hist. Eccles. lib. iii. c. 25.

Here I might fairly stop; but, as Nemo has made such strange wild work with ecclesiastical antiquity, I am tempted to give some little account of these two epistles which he has been pleased to erect into genuine apostolic documents.

1. I am perfectly aware, that in regard to the authenticity of that which bears the name of Barnabas, he may shelter himself even under some great protestant names; but the internal evidence afforded by the epistle itself, is alone sufficient to vindicate the decision of the primitive church. Were I to enter at large into this topic, I should occupy more room than you could conveniently spare; I shall study therefore to be brief. Be it known then to the Irish public, that the author of the epistle which Nemo pronounces to be a genuine production of the inspired Barnabas, albeit rejected by the mere authority of the church, gives us to understand, that Abraham not only understood Greek, but that he was so well acquainted with the arithmetical powers of the Greek alphabet, as to discover in the number of his 318 (IHT) young men both the name of Jesus and the figure of the cross; and, as if this moral marvel were insufficient, he gravely propounds to us the yet greater physical potent, than the hyena regularly changes its sex once a year; the surprising beast, unlike all other vulgar beasts, becoming alternately male and female.* Now if the joint weight of Abraham and the hyena, be not enough to sink the catholic

* Barnab. Cathol. Epist. § 9, 10.

epistle of St. Barnabas, it is certainly capable of sustaining any given burden however excessive. Should Nemo, however, maintain that it still swims, I shall beg leave to introduce him to the acquaintance of a respectable member of his own communion, a Benedictine monk to wit, of the seventeenth century (and the Benedictines were confessedly no dunces,) by name *Hugo Menardus*; who will assure him, that he is quite mistaken. That sensible critic very rationally subscribes to the attestation of Eusebius; both because there is no certainty that the epistle was ever written by Barnabas, and because it contains various silly impertinences.* Among those impertinences, which never could have proceeded from the pen of an inspired apostle, I shall, with Nemo's permission, beg leave to class Abraham's Greek and the hyena's sexual versatility.

2. With respect to the epistle to the Laodiceans, which Nemo ascribes in good sober earnest to the apostle Paul, there is some little degree of difficulty arising from the apparently discordant accounts of Tertullian and Epiphanius. I am myself strongly inclined to believe, that an epistle under that title was forged at some time or other between the respective ages of those two fathers; at least, such a supposition fully reconciles their discrepance; and I see not how a reconciliation can otherwise be effected. In Tertullian's account of the Apostolican put forth by the heretic Marcion, he states,

* Dupin's Elist. of the Canon, vol. ii. c. 6 & 7.

that the epistle, which by the true testimony of the catholic church, was addressed to the *Ephesians*, is asserted by that heretic and his followers to have been really addressed to *Laodiceans*; but in the Apostolican which Epiphanius saw, there was BOTH our present epistle to the *Ephesians* AND ALSO an epistle purporting to be from Paul to the *Laodiceans*.* Hence I think it tolerably clear that, in the time of Tertullian, there was no epistle to the Laodiceans in existence distinct from the epistle to the Ephesians, the two being in truth identical; while, in the time of Epiphanius, there were two distinct epistles in existence, one addressed to the Laodiceans, and the other addressed to the Ephesians. Such being the case, I see not what conclusion we can draw, save that the pretended epistle to the Laodiceans was forged between the age of Tertullian and the age of Epiphanius. At all events, the epistle which Epiphanius saw, was a palpable forgery, not being (as he remarks) among the genuine epistles of St. Paul; and, as such, it was justly rejected by the church. This composition, most probably manufactured by some enterprizing Marcionite, has long since perished; for it is clearly *not* the same as the work, which is *now* entitled St. Paul's epistle to the Laodiceans. *That* work may, in some sense, be called *genuine*; for, in fact, it is a mere cento or compilation from St. Paul's genuine

* Tertull. adv. Marcion. lib. v. p. 314, 322.
Epiph. Hær. xlii. b. 321.

epistles. Hence almost every text in it was written by St. Paul; though the apostle most assuredly never put the whole together in its present form, nor did he ever send it to the Laodiceans. Some person, wishing to supply what he thought was wanting, has taken the pains to pick and cull out of St. Paul's genuine writings, a variety of detached texts; and these he has strung together in one continued series, under the forged appellation of an epistle to the Laodiceans. It were happy if all forgeries had been equally innocent. As for the precise meaning of Coloss. iv. 16, on which both the more ancient and the more modern forgery has evidently been constructed, I do not conceive myself to be any way called to a discussion of it. Enough has been said to evince the untenability of Nemo's extraordinary speculation.

3. But even if Nemo could have established his speculation, I am at a loss to discover, what benefit would result to the modern church of Rome.

The canon, argues Nemo, could not be established save by the authority of the catholic church. THEREFORE, if you disown the authority of the church of Rome, you can have no certain canon of the New Testament. I am not quick sighted enough to see the cogency of this reasoning, even if the mere provincial church of Rome could have made good its absurd claim to *exclusive* catholicity. The canon being once established by the authority (use the word in which sense you please) of the primitive catholic church, we have

henceforth a ruled and adjudged case; and with this ruled case in our hands, which is open to the inspection of every body, we have surely no occasion to travel to Rome for farther instruction. As far as the mere canon is concerned, ANY person, let his religious opinions be what they may, has it in his power to satisfy himself in London just as well as in Rome: nor can the pope, with all his cardinals to boot, throw any new light upon that ancient decision of the primitive church which is equally in all our hands.

QUIDAM.

LETTER III.

To the Editor of the Cork Constitution.

SIR, ENGLAND, Dec. 14, 1824.

NEMO has promised, after discomfiting all his antagonists, to lay before the Irish public a statement of his own creed; "somewhat ancient indeed," he observes, "but yet combined with many interesting associations."

I am not a little impatient to see the performance of his promise; because, so far as my own examination of popery has extended, I should certainly pronounce it to be any thing rather than an ANCIENT system. It is, in truth, a huge mass of NOVELTIES,

alike unknown to Scripture and to the primitive church; which, through the perverse industry of the Romish priesthood, have been accumulating from age to age, and which have well nigh overlaid and smothered genuine christianity.

I. Whenever Nemo performs his promise, I should be glad to hear from him some distinct account of the very difficult doctrine of infallibility, on which I offered some remarks in the first of my letters; and by way of saving him trouble as to the points on which I wish to be informed, I shall exhibit, in the shape of precise questions, the matters to which I would call his attention.

1. How does Nemo, either from the express declaration of Scripture, or from the NECESSARY indisputable concurrence of positive matter of fact, prove the existence of a living infallible umpire?

2. Supposing the abstract existence of such an umpire demonstrated, who, or what, or where is he? In other words, what are the precise hands, in which the supposed privilege of infallibility is lodged?

3. When Nemo has determined this second point, I beg to submit yet a third question to his consideration; wherever he may choose to lodge the privilege of living infallibility, what is his authority for so lodging it? In other words, what proof can he bring either from the plain testimony of Scripture, or from the declaration of the primitive church, that he has *properly* lodged the said privilege?

4. If Nemo should be able to show, that infallibility, wherever specifically lodged, and however specifically exercised, is the heirloom of the catholic church, I must next request his proof, that the *mere* PROVINCIAL *church of the western patriarchate*, commonly called *the Latin* or *Roman church*, has a right to assume the EXCLUSIVE denomination of the *catholic church*; for, unless he can establish the apparent contradiction, that *a mere* PROVINCIAL *church is the* WHOLE *church*, even his proof (if he be able to frame such a proof,) that *infallibility is the heirloom of the* CATHOLIC *church*, will be no valid proof, that *the* PROVINCIAL *church of Rome is infallible?*

5. But, if NEMO, contrary to my expectation, should surmount all these difficulties, and should clearly prove, both that the PROVINCIAL church of Rome, is the WHOLE church, and that a PART of the church thus unaccountably transmuted into the WHOLE church is infallible: I must finally request him to teach me, what possible good a living infallible umpire can do in the settlement of religious differences, unless also every living individual christian possess an infallible comprehension of language, by virtue of which it is physically impossible for him to mistake the import of every infallible decision pronounced by the living infallible umpire?

To this last question I shall subjoin an explanation, in order that Nemo and the Irish public may distinctly see its drift and bearing.

We will suppose then, for the sake of argument, that we have been fortunate enough to obtain a living infallible umpire; the next point is, how are we to derive any benefit from his infallibility? For the elucidation of the matter, I beg leave to submit the following case:—

Two persons, A and B, differ on a point of doctrine; but confessedly possessing a living infallible umpire, they mutually consent to refer the matter to his infallible decision. The living infallible umpire forthwith decides, and both parties agree, that his infallible decision must needs be unmixed truth, to which they equally profess themselves ready to submit. But here commences a second dispute between A and B. They admit, it is true, the infallibility of the living umpire; but they differ with as much pugnacity as ever, in regard to the MEANING of his infallible decision. A is quite sure, that the infallible decision means this; B is no less sure that the infallible decision means that. A triumphs, because the infallible decision clearly favours his cause; B is delighted to find, that the infallible decision undoubtedly establishes his opinion. The two sturdy polemics agree indeed that the decision certainly is infallible; but, as to the MEANING of the confessedly infallible decision, they stand as much opposed as the Antipodes. Each is sure, that it is favourable to himself; each therefore retains his original theological opinion. The living infallible umpire has decided; but A and B, though they alike ac-

knowledge the undoubted infallibility of the living umpire, are as much at variance as ever they were.

Such is my case; and, for the information both of the Irish public and of myself, I request from Nemo a solution of it.

(1) Possibly Nemo may say: since the infallible decision is ambiguous, the parties must apply to the living infallible umpire for an infallible EXPLANATION of the infallible DECISION.

Be it so: but our stubborn disputants, *A* and *B*, are not satisfied quite so easily as Nemo imagines. An infallible explanation of the infallible decision is applied for, and is speedily obtained: but, unluckily, this serves only to make confusion ten-fold more confounded. A and B first differed, as to a point of doctrine; next they differed, as to the meaning of an infallible decision of the point of doctrine; and now, like the cumulative history of the celebrated house that Jack built, they differ as to the meaning of the infallible explanation of the meaning of the infallible decision of the point of doctrine, which first called into action their matchless controversial abilities. A contends, that the infallible explanation favours *his* opinion; B is sure that the infallible explanation is wholly on *his* side. What is next to be done? For, hitherto at least, it is evident, that the acknowledged living infallible umpire has made but small progress in settling the dispute between our obstinate friends A and B.

(2.) Perhaps Nemo will say, that some decisions or propositions are so *distinct* and *precise* and *unambiguous*, that, in the very nature of things, any difference of opinion respecting their import is morally impossible.

Be it so: but what are we to do with an unreasonable polemic, who, when an infallible decision pronounces *black to be black*, pertinaciously maintains in our very teeth, that the true meaning of the infallible decision is, that *black is white?* Nemo may recommend Anticyra to such a doughty divine; but some madmen, as we all know, have discovered that they alone in the whole world are in their right senses. I speak of no imaginary case; for it is easy to produce instances, in which the proposition, *black is black*, has been roundly declared to signify, *black is white*.

Marriage, saith the once living infallible umpire St. Paul, *is* HONOURABLE in ALL—Heb. xiii. 4. Now a plain man would think, that we have here an infallible decision, respecting the import of which, it is morally impossible that there should be any difference of opinion. So, in the depth of his simplicity, might a plain man think; but if he apply to Nemo, he will find himself wofully mistaken. According to Nemo, the true meaning of the infallible decision, *Marriage* is HONOURABLE in ALL, most undoubtedly is, that *Marriage* is NOT HONOURABLE in ALL; for an infallible explanation of this infallible decision, has infallibly determined, that *Marriage* is SCANDALOUS IN SOME. Hence,

by way (I suppose) of proving the infallibility of his church, Nemo, in the course of his letter, amuses himself and edifies his brethren, by a sneer at our married clergy. If Nemo would take the trouble to study the ecclesiastical history of the middle ages, he possibly, were it not for the opposing infallibility of his church, might be induced to think, that the *approving smiles* of an honest man's lawful wife, are at the least as creditable as the meretricious smiles of those numerous clerical concubines, who scandalized even a decent popish emperor, and that the legitimate son of a worthy protestant pastor is quite as respectable a personage as either Borgia or Farnese, the hopeful spurious progeny of a couple of immaculate pontiffs.

Christ, saith the confessedly infallible umpire St. Peter, *hath* ONCE *suffered for sins, the just for the unjust.* 1 Pet. iii. 18. *We are sanctified*, saith the confessedly infallible umpire St. Paul, *through the offering of the body of Jesus Christ* ONCE. Heb. x. 10. *Christ was* ONCE *offered to bear the sins of many.* Heb. ix. 28. Here likewise a plain man would think, that we have three concurring infallible decisions, respecting the import of which there can be as little reasonable dispute as respecting the import of the unambiguous proposition, *black is black.* But let him apply to Nemo, and he will again find himself quite mistaken. With one voice Nemo and his sacerdotal brethren will assure him, that, according to an infallible

explanation of the holy apostolic and Roman church, the word ONCE, as employed by St. Peter and St. Paul, most undoubtedly signifies MANY TIMES; whence, as good catholics, we are bound in duty piously to conclude, that, when the two confessedly infallible apostles declared that *Christ's body was offered* ONCE, they clearly meant to intimate, that *Christ's body was offered* MANY TIMES, every time to wit, that a popish priest or prelate might peradventure celebrate mass. Nay, this matter is so clear to the very dullest comprehension, that poor Mr. Hayes of Dublin was well nigh frantic, both in the pulpit and in the press, at the very idea of the monstrous sacrilege whereof we luckless protestants are undeniably guilty, because we hesitate to receive the infallible explanation which pronounces, that *the word* ONCE *assuredly denotes* MANY TIMES.

3. What further solution of my case Nemo will offer, I profess myself unable even so much as to conjecture. The church of Rome has actually staked her infallibility, upon the word ALL signifying NOT ALL, upon the word HONOURABLE very frequently signifying scandalous, and upon the word ONCE indisputably denoting MANY TIMES. Hence it is evident, that, if the perverseness of our friends, A. or B. steadily *resolve* to distort the very plainest infallible decisions, or infallible explanations, into a sense diametrically opposite to their morally certain signification; no living infallible umpire, let him infallibly decide and

infallibly explain *ad infinitum*, can ever put an end to theological diversity of opinion: for, exactly on the same principle that the infallible church of Rome explains the word ONCE to denote MANY TIMES, either A. or B. may fairly contend, that the true meaning of the infallible explanation is, that the word ONCE denotes ONCE.

When Sir John Swale, of Swale-hall in Swaledale, fast by the river Swale, devised, by his last will and testament, to his honoured and good friend, Mr. Matthew Stradling, gentleman, all his black and white horses; a warm legal dispute arose between said Stradling and Mr. Peter Styles, inasmuch as said devisor died being seized of six black horses, six white horses, and six pyed horses. Most learnedly was this intricate cause argued between Mr. Serjeant Atkins and Mr. Serjeant Catlyne; explanation was heaped upon explanation, and reply was ever dogged by rejoinder. Judgment was at length arrested on the motion, that said pyed horses were pyed mares.

How Nemo may decide on the case of A. versus B., I pretend not to anticipate; but let him decide as he will, he may depend upon it, that the non-suited party will move an arrest of judgment, that a new explanation may be given of the original decision; whereupon a fresh reference to the living infallible umpire will be prayed. *Et surceo le court advisare vult.*

2. From a very ridiculous subject, saving Nemo's presence, popish infallibility to wit, I must now

turn to one of even more than awful solemnity. With great reluctance do I speak upon it; but the lawless conduct of the Irish priests and their riotous adherents constrains me.

In all countries where their influence has extended, the Romish priests have evinced the most marked antipathy to THE BIBLE; but never at any time did their dread of the holy volume display itself more strongly than at present in Ireland. The reason is obvious enough.

Whenever the Bible is against any man, the man, in return, will assuredly be against the Bible.

The popish priesthood of Ireland DARE NOT entrust the Scriptures in the hands of the much abused and hood-winked laity.

When a person first reads the Bible, and next turns his eyes to that arch-innovatrix the church of Rome, he is inevitably struck with the astounding difference between the doctrine and practice of the former, and the doctrine and practice of the latter. To any thinking mind, therefore, the immediate consequence is this: he must assuredly give up either the Bible or popery; for the two cannot stand together. If the Bible be true, popery is a false and unscriptural system; if popery be true, the Bible is erroneous.

Now the Irish priests are determined at all hazards to uphold popery. Hence the Bible, which *doctrinally*, and *practically*, and *prophetically* denounces popery as the great demonolatrous and persecuting apostacy in the latter times, must of

course be proscribed and villified, and prohibited to the profane vulgar, lest haply they should learn more from the word of life than might suit the interested purposes of their teachers. On any other principle, it is difficult to account for the studied and horrible insults, which these teachers have recently heaped upon the sacred oracles; but this principle fully explains and accounts for the whole of their lawless and sacrilegious conduct. They *know*, that the Bible will expose their corrupt INNOVATIONS upon primitive truth. But a rejection of their unscriptural NOVELTIES, novelties unheard of and undreamed of in the holy primitive catholic church, they presumptuously denominate *heresy*. Hence they have raised an outcry from one end of Ireland to the other, that the reading of the Bible will infallibly make men *heretics*, and consequently that the Bible ought sedulously to be denied to the enthralled and priest-ridden laity.

These men seem to be animated by that instinctive dislike to God's word, which all creatures feel to their natural enemies. Their estimate of the probable effects of the circulation of the Bible is, I believe, very accurate. In *their* unauthorised sense of the word *heretics*, the reading of it will certainly make men heretics. But why will it have such an effect? Simply because it will show them, that no two things can be more unlike, than the Bible and the church of Rome.

Here we have the whole secret of the present anti-christian opposition to God's inspired word:

here we may learn, why such a lamentable complaint of proselytism has been echoed from pope to prelate, from prelate to priest, from priest to laic; while an infuriated mob has been stirred up to join in the demoniac yell of NO BIBLE!

Is the church of Rome, *forsooth*, in these free countries of Britain and Ireland, to be privileged in compassing heaven and earth to make as many proselytes to her own novelties, as she may deem expedient; and is *she herself* to be reckoned so marvellously sound and holy, that all proselytism from *her* to a purer faith is to be strictly interdicted? *She* it seems, by her emissaries, may freely traverse this essentially protestant realm of England, in the length and in the breadth thereof, to seduce the ignorant and the unwary into the paths of apostatic error; but the very circulation of the Bible, even when unattended by *direct* proselytism, is to be interdicted in Ireland, because it fortunes not to suit the interest of this proverbially proselyting church. Truly, to adopt the words ascribed to a great statesman, the moderation of her claims is most edifying, if she thus expects that *the reciprocity shall be all on one side.* What a clamour would be raised from a thousand throats, if the insults, accumulated in popish Ireland upon an excellent prelate, and more than one respectable clergyman, were retorted in protestant England upon the busy and officious jesuits of Stoneyhurst! While the agents of Rome insolently deny the sacerdotal character to our clergy, whereof (it is true) we

think as foul scorn as ever Elizabeth did of Parma and of Spain; while they treat our respectable dissenting brethren, as if they were the very scum and off-scouring of the earth; while, in their ordinary discourse, they style us collectively *damnable heretics;* and while with ludicrous impropriety, they even denominate us *fanatics*, themselves being the managers or the dupes of a series of theatrical miracles performed by a German mountebank; they claim in return, that the very wind of the blessed heaven should not visit their faces too roughly, that every attempt at proselytism from them should be deemed an intolerable enormity, and that we must humbly sit still while they are free to act with full vigour.

Such are the modest claims propounded by the popish clergy of Ireland; such is the sum and substance of their clamour respecting protestant proselytism. The fact is, THEY DREAD THE BIBLE. For a season the mobs, which they have stirred up in opposition to this hated volume, may prevail through mere brute violence; but what will every reasonable man, even among the better papists themselves, think of a cause, which, by the very practices of the priests, is virtually confessed to be incapable of defence by sober argument and by primitive evidence? Accordingly to sure operation of cause and effect, slow it may be, but not less sure; they are themselves preparing the destruction of their unhallowed innovations. Precisely as they now oppose the Bible and those

who draw their religion from the Bible, did the persecuting pagans of old oppose the first christians. Yet we all know that the truth finally triumphed.

Goaded on to temporary madness by the arts of interested image mongers, the Ephesian mob, we are told, exercised their lungs, for the space of two hours, *sans* intermission, by strenuously vociferating, *Great is Diana of the Ephesians!* But, notwithstanding this opposition, a flourishing church was founded at Ephesus; the gospel proved too strong for Demetrius and his brethren of the craft; and the great Diana, with all her trumpery, was consigned to the moles and to the bats. In despite of their idolatrous agitators, the Ephesians recovered their senses; and it is not difficult to foresee, from the very opposition to God's word now made in Ireland, that a time will come, when the Irish laity will no longer submit to be made the tools of a set of men, who have ever preferred brutal violence to scriptural argument.

QUIDAM.

LETTER IV.

To the Editor of the Cork Constitution.

SIR, ENGLAND, Jan. 4, 1825.

As my first letter appeared in your truly constitutional journal November 19, and as we are now arrived at January 4, I think it evident that Nemo does not intend to honor my communications with an answer. I regret his silence; but no blame can attach to myself.

1. It would have given me much pleasure to discuss with him that important topic, *the alleged infallibility of the Romish church;* but, since this pleasure is denied me, I shall be equally ready to attend to what Dr. Curtis, or Dr. Coppinger, or Dr. Doyle, or any other gentleman may be pleased to state on the same subject.

I specially mention *the infallibility of the Romish church* as the FIRST matter to be discussed; because, as it virtually includes every other point at issue between the Romanist and the Protestant, the settling of this vital matter will save much time and trouble. If the church of Rome can once be *proved* to be infallible, it is obvious, that all disputes between her and each reformed church must terminate. For, whatever difficulties (as I specified in my last letter) may attend upon infal-

libility while in actual operation, still it were plainly altogether nugatory for churches, which do not even *claim* infallibility, to contend with a church which has absolutely *proved to demonstration* that she herself really *possesses* infallibility. This point once established, all the rest would follow of course. If, for instance, an infallible church pronounce the doctrine of Transubstantiation to be an undoubted truth; it were absolute folly, or worse than absolute folly, to reject that doctrine as an untruth. Prove the infallibility of the church which propounds the doctrine, and the truth of the doctrine follows, as a plain and undeniable consequence. Exactly the same remark applies to every other doctrine taught by the church of Rome. Prove the infallibility of that church, and the admission of all the doctrines propounded by her, at least so far as we can understand the terms in which the propositions are conveyed, is inevitable.

Thus, sir, you cannot fail to perceive, that the real nucleus of the question at issue between Rome and her opponents is, the infallibility of the Romish church. Every other dispute is a mere skirmishing of out-posts; but *this* respects the very vitals of the question; and it has moreover the advantage of bringing the entire litigation within the least possible compass.

I publicly ask, then, from Dr. Curtis, or Dr. Coppinger, or Dr. Doyle, or any other gentleman of their persuasion, a clear and distinct *proof* of the

allegation that *the church of Rome is infallible*; and, provided such proof can be given, attended with an unimpeachable specification of the channel through which that church promulgates her alleged infallible decisions, I pledge myself forthwith to renounce my imputed heresy and to embrace her communion.

To deem a church infallible, merely because her clergy assure me that she *is* infallible, as a rational being, I feel to be impossible. Would Dr. Doyle believe that the church of England is infallible, merely because *I* thought fit to assure him that such is actually the case? Clearly he would not. How then can he expect, that I should receive the infallibility of the church of Rome on *his* mere assertion, however respectable may be his authority? If the church of Rome be infallible, where is the PROOF? To require PROOF of an allegation before we admit its truth, can scarcely be deemed a contradiction to the inspired precept; PROVE *all things, hold fast that which is good.*

I can simply say, therefore, that if any gentleman of the Romish persuasion, will bring me PROOF that his church is infallible, I shall be happy to attend to him. The discussion of this topic cannot fail of being useful; for, if the point can be proved, great glory, and, doubtless, a great accession of proselytes will accrue to the church of Rome; while, if the point cannot be proved, the interest of truth must be essentially promoted. You, sir, as an intelligent protestant, and as an Irish gentleman, will, I am persuaded,

in both of these honourable characters, grant as free an admission to papers on one side of the question, as to papers on the other side.

This general *invitation* will, I hope, not be misconstrued into what is generally called *a challenge*. The latter term expresses a species of pertinacious insolence, which the former term is far from implying, and which I should be most sorry to exhibit. My wish through life has been the development of truth; and, provided only I have *her* guidance, I am no less ready to travel to Rome than to Canterbury. If I can gain an infallible director, I gain, so far as I can *understand* the infallible decisions of this infallible director, pure and unmixed truth. Let any Romish gentleman PROVE to me *the infallibility of his church*, and he shall have my best thanks. On the other hand, if this my courteous invitation, shall be accepted neither by Dr. Curtis, nor Dr. Doyle, nor any other person, I shall be constrained to think, and probably the public will think with me, that CLAIMS are more EASY than PROOFS.

2. In a recently published paper, which purports to be a pastoral charge of the catholic bishops and arch-bishops of Ireland, and to which are annexed the names of the several popish prelates in that country, I have been much struck with the remark attributed to the present bishop of Rome. *His Holiness* say, the popish prelates in Ireland, wisely remarks, that more evil than good is found to result from the indiscriminate perusal of the scrip-

tures, on account of the malice and infirmity of men. Now, if the infallibility of the Romish church is clearly set forth in scripture, it seems very odd and unaccountable, that, in the judgment of the pope himself, the general perusal of that very scripture should do more harm than good. I should have thought it a mark of more genuine wisdom, to pursue a directly opposite plan, since the Bible, it seems, undoubtedly propounds the infallibility of the Romish church; for, I presume, if this infallibility be proved *at all*, it must be proved *out of the Bible*: the more generally under such circumstances the Bible is read, the more general must be the full conviction, that the church of Rome is infallible. Why then should his holiness object to the indiscriminate perusal of the scriptures; and wherein is that wisdom, which the popish prelates in Ireland ascribe to his objection? It is a very singular circumstance, that he should proscribe the perusal of that identical book, which, if universally read, could not fail to cover every protestant with confusion by its clear and distinct avowal, that the Romish church is assuredly *infallible*. The Bible, we must presume, is the very *title-deed*, by which the Romish church holds her high privilege of infallibility; and yet, we are told, the pope wisely remarks, that more evil than good is found to result from the indiscriminate perusal of the scriptures. The whole of this seems to me not a little paradoxical. Possibly some light may be thrown on the subject by a singularly

felicitous illustration, which is introduced into the same pastoral charge. *Rome*, we are informed, when immersed in idolatry, commanded by an edict of the Senate, that books, reputed hostile to her institutions, should be burned in the forum. Such is the illustration; and the circumstance to be illustrated by it, is this: Rome, when converted to Christianity, commands, by an edict of the pope, that the scriptures, which are reputed hostile to her institutions, should be shut up from the indiscriminate perusal of the profane laity. The illustration must have been deemed apt by the learned prelates whose names are subjoined to the pastoral charge, or they would not have introduced it; yet, if it had been hazarded by a protestant, we should probably have heard as loud an outcry of illiberality as was raised against the famous charge of the archbishop of Dublin.

It may be said, perhaps, that the illustration respects not the Bible, but those pernicious books which the Bible Society is charged with circulating. I was not aware until informed by the popish prelates, that the Bible Society circulated *any* books of *any* description, good, bad, or indifferent, save the Bible *alone*. But, whatever tracts may have been circulated by individuals, with which tracts the Bible Society, by its very constitution, can have nothing to do; it is evident, that the illustration cannot respect those tracts exclusively. The tracts, we are told, are to be returned or destroyed, while the Bibles, if not returned to the donors, are

to be deposited with the parish priest. Now, I beg to be informed, WHY, save on the principle of the illustration, are the Bibles to be thus taken away from the laity? The pernicious books, we will grant, might be very fairly burned, on the ground of their being hostile to the institutions of the Romish church; but, are we to conclude, that the Bibles are to be given up to the parish priest, on the same ground of alleged hostility? I should be glad to have an answer to this question from any one of the prelates who have signed the pastoral charge. If the Bibles were not hostile to the institutions of the Romish church, why should they be so carefully taken away from the laity? If they were hostile to the institutions of the Romish church, we can perfectly indeed understand why she has thus avowedly adopted the policy of ancient pagan Rome; but what can we think of a church, to which thus, even by her own confession, the Bible is hostile. In short, the Bible is either *hostile* or *friendly* to the claims and institutions of the church of Rome. If *hostile*, how can that church be a sincere church of Jesus Christ? If *friendly*, where is the wisdom or good policy of suppressing the evidence of an unbounted friend? In the ordinary affairs of life, we are not wont to *suppress* friendly evidence; on the contrary, we are forward enough to *adduce* it. Yet, notwithstanding that the infallibility of the Romish church is so clearly set forth in the scriptures, that he who runs may read; his holiness, as

the popish bishops tell us, WISELY remarks, that more evil than good is found to result from the indiscriminate perusal of them, on account of the malice or infirmity of men. How can this be? we may well ask. If the infallibility of the Romish church, shine out self-evident from the Bible, certainly the universal perusal of the Bible must be the most effectual means both of baffling human malice and of strengthening human infirmity.

QUIDAM.

LETTER V.

To the Editor of the Cork Constitution.

SIR, ENGLAND, Jan. 29, 1825.

WHILE Messrs. Curtis, Doyle, Coppinger, and Nemo, are determining, whether it will be better publicly to discuss with me the fabled infallibility of their church, or to maintain a prudent reserve on that singularly perplexed question, I will, with your permission, offer a few remarks on a different though allied subject.

Signor Pastorini, or Bishop Walmsley, (for the Signor and the Bishop are, I believe, generally deemed identical,) in his far-famed explanation of Rev. ix. 1. 11, pronounces the locusts to be the protestants; and, by a sufficiently ingenious calculation of the number annexed to the prophecy, brings out as a result, that the several protestant

churches will be suppressed in this current year, 1825, and that the only true church of Rome will rise triumphant upon their ruins.

I have carefully read the Signor's explanation; and, so far as I can judge, it is alike unsupported by the general chronology of the Revelation, and by the particular context of the prophecy itself. My present business, however, is not with the childish gloss, which, I understand, has been circulated with much industry, and to a very wide extent among the lower classes in Ireland—I meditate an enterprise of much greater moment; an enterprise no less chivalrous, than that of converting the speculative Signor into a very useful ally of protestantism.

In the seventeenth chapter of the Revelation, we have the grand compound symbol of a gaudy and blood-polluted harlot, riding triumphantly upon a wild beast, conspicuous for his seven heads and his ten horns. Such is the hieroglyphic; and, in the Signor's exposition of it, there is much which well deserves the serious attention of the Irish public.

The wild beast, Pastorini tells us, with much sound judgment and propriety is, the Roman empire; and his ten horns, he assures us with no less praiseworthy discrimination are, the ten Gothic kingdoms, which planted themselves upon the platform of the Western empire in the fifth century.—*Gen. Hist. of the Christian church, p.* 117, 121, 296, 297, *5th edit. Dublin.*

To these positions he is indisputably led by the express testimony of history. For the woman, as he justly observes, by the very necessity of the prophetic description, can only be Rome.—*Gen. Hist. p.* 112, 117. But if the woman be indisputably Rome, as he well argues; then the wild-beast, which she rides, must of necessity be the Roman empire.—*Gen. Hist. p.* 117. History, however, bears witness, that when the Roman empire was broken up in the west, ten distinct Gothic sovereignties were erected upon its platform. *Hence the Signor judiciously pronounces these ten sovereignties to be the ten horns of the* wild-beast; which (according to the interpretation of the angel) prefigured ten kings or kingdoms, that were not as yet in existence at the time when the prophecy was delivered. *Gen. Hist. p.* 121. His scheme of interpretation is *perfectly just.* In fact, as he clearly saw, if the wild-beast be the Roman empire, (a matter fully established by the well ascertained Roman character of the harlot-rider of the ten-horned beast;) the kingdoms which were to spring out of the ruins of that empire, and which in the days of St. John were *still future,* must inevitably, by the express *testimony of* history, be those ten Gothic sovereignties, which AS A MATTER OF FACT, were planting themselves on the Roman platform in the course of the fifth century.

Thus far, every sober student of history cannot but agree with Signor Pastorini, for, in truth, such an exposition rests, not upon mere vague specula-

tion, but upon absolute and incontrovertible FACTS. His exposition, therefore, in its great leading features, is indisputably the true one, and, of the moral certainty that it is the true one, we have a strong collateral proof in the striking circumstance, that, however papists and protestants may differ in *many* points, *here* at least, alike compelled by the overpowering evidence of history, they fully agree.

Now I ask no more than the Signor's exposition of the wild-beast and his ten horns, in order to demonstrate irrefragably, that, on *his own* principles, the harlot-rider must inevitably be *Rome papal.*

That the harlot is *Rome* is explicitly acknowledged by ALL; for, on this point, Mede and Newton among protestants, are not a whit more positive and determinate, than Baronias and Bellarmine, and Cornelius à Lapide, and Pastorini, are among papists. The reason is obvious: St. John as explicitly determines that matter, as if he had literally called the harlot—*Rome.* She sits, we are told, on seven hills, and she is declared, in so many words, to be that great city, which, in the time of the apostle, reigned over the kings of the earth. This two-fold notation, geographical and moral, agrees with *Rome* and with *Rome* only. Hence it is small wonder, that both papist and protestant should concur in pronouncing the harlot to be *Rome.* In good sooth, it were morally impossible for them to come to any other determination.

2. But here a question arises. Are we to understand by the harlot, *Rome pagan* or *Rome papal?* Are we to understand by her *Rome, while she remained in a pagan state,* or are we to understand by her during the special prophetic period wherein she is exhibited in the revelation, *Rome,* when thoroughly imbued with the papal superstition.

The question shall be answered by Signor Pastorini's own chronological arrangement of the ten horns.

1. From the whole tenor of the prophecy, we learn most clearly and indisputably, that the harlot flourishes CONTEMPORANEOUSLY with those ten horns or kingdoms, which existed not in the time of St. John, but which were about to spring up at some future period. For the ten horns, after long constituting the power of the identical wild beast which is ridden by the harlot, are described as finally hating her and making her desolate. But the whole of this is a physical impossibility, unless the harlot and the ten horns be CONTEMPORARIES. Hence, assuredly, the CONTEMPORANEOUSNESS of the harlot and the ten horns, must be admitted as a point wholly incontrovertible.

2. Now the Roman empire ceased to be pagan under Constantine, at the beginning of the fourth century; or, if we wish to be large and generous in our statement, under Theodosius, at the latter end of the same century.

3. But the ten horns or kingdoms, as Signor Pastorini very justly observes, did not establish

themselves upon the Roman platform, or (in prophetic language) did not receive their sovereignty, until the lapse of the fifth century; in the course of which, nine assuredly out of the ten sprang up and were developed.

4. Hence it is evident, that the ten kingdoms, as defined by the learned Signor himself, were not CONTEMPORARIES of Rome pagan. For Rome had ceased to be pagan at the end of the fourth century; and nine out of the ten kingdoms established themselves in the course of the fifth century; the tenth that of the Lombards, acquiring its settlement in the sixth.

5. The harlot, however, MUST be either *Rome pagan* or *Rome papal:* and furthermore, she MUST be CONTEMPORANEOUS with those ten kingdoms, which (as the Signor truly observes according to his enumeration of them) were settled upon the Roman platform in the course of the fifth century, and of which the representatives still remain.

6. She cannot however, be Rome pagan, because Rome pagan was not contemporaneous with the ten kingdoms, Signor Pastorini himself being judge.

7. Therefore, by a necessary and inevitable consequence from the Signor's own exposition of the ten horns, she MUST be *Rome papal.*

III. With this necessary conclusion, the whole character of the harlot, in every point, will be found most minutely to agree.

1. The harlot, by the very necessity of the prophecy is contemporaneous with the ten horns

to the very end of her blood-stained career: for the ten horns, we are told, are at length induced to hate her, and to make her desolate and naked, and to eat her flesh, and to burn her with fire.—*Rev.* 17, 16.

Accordingly, Rome papal has been contemporaneous with the ten horns, by whatever kingdoms represented, from their acknowledged rise in the fifth century, down even to the present moment.

2. The harlot, during her contemporaneousness with the ten horns or kingdoms, which sprang up on the platform of the Roman empire, *rides* the wild-beast, which the Signor rightly pronounces to be the symbol of that empire.

Accordingly, as every reader of history well knows, papal Rome, during the whole of what are emphatically called the dark ages, rode triumphantly and tyrannically upon the neck of the subjugated empire, then represented by the ten contemporary kingdoms or their successors.

3. The allegorical female, who thus insolently rides the Roman empire, subsequent to its division into ten kingdoms, is said to be a harlot, nay the very mother of harlots and abominations of the earth. But, as we all know, in the figurative language of prophesy, fornication and adultery denote idolatry, however modified and disguised. The harlot, therefore, by virtue of her title, is an idolatress; and by virtue of her character, she is also the mother of sundry other harlots, or idolatresses.

Accordingly Rome papal has apostatized into that identical secondary worship of dead men and women, (even to say nothing of dead bones, old teeth, bits of wood, rags of cast clothes, and the like trumpery) which provoked the wrath of God against Israel of old, and which procured for her and Judah the kindred appellation of harlots. (See Ezek. xvi.) Nor is this all; she boasts farthermore to be the mother church of various other national idolatrous churches, and thus effectually vindicates to herself the title of Babylon the great, the mother of harlots and abominations of the earth.

4 The harlot, like the fabulous Circē of pagan mythology, intoxicates with the deleterious cup of the wine of her fornication the inhabitants of the earth, while the kings of the earth commit spiritual fornication with her.

Accordingly, with the exception of those two faithful witnessing churches, the Waldenses and the Albigenses, during the entire period of the middle ages, all Europe was besotted with the philtres of the Roman Circē. The kings of the earth patronised and upheld her abominations: the clergy were her tools in the unholy work of delusion: and the entire mass of the laity, drunken with the allegorical wine so copiously administered to them, verily believed the harlot to be the alone chaste consort of Christ our Saviour.

5. The harlot appears in the utmost splendour of attire; arrayed in purple and scarlet, and bedecked with gold and precious stones and pearls.

Accordingly, *Rome papal* has ever effected a gorgeous magnificence of worship, striking indeed to the outward senses, but agreeing ill with that spirituality of devotion, which is the eminent characteristic of genuine christianity.

6. Lastly, the harlot not only intoxicates the inhabitants of the earth with the wine of her fornication, but she is viewed by the astonished apostle as even DRUNKEN with the blood of the saints and with the blood of the martyrs of Jesus.

Accordingly, who shall count up the innumerable religious murders which have been perpetrated by *papal Rome?* Who shall undertake the sickning task of detailing all her execrable diversified barbarities? In the crusade against the Waldenses and the Albigenses in the thirteenth century, a million of pious believers were atrociously murdered in France alone. Within little more than thirty years from the first institution of the Jesuits, nine hundred thousand were butchered by the Roman harlot. In the Netherlands alone, the duke of Alva boasted that, within a few years, he had slaughtered by the hand of the common executioner, thirty-six thousand. During the space of scarcely thirty years, the diabolical court of the Inquisition destroyed, by various kinds of tortures, a hundred and fifty thousand. Add to these the persecutions of the Lollards, the fires of our own polluted Smithfield, the massacre of St. Bartholomew, and the revocation of the edict of Nantz: and even then the dreadful tale of woe, and bloodshed, and torture,

and proscription, will not be fully told. The same spirit still survives, though a bridle has of late years been placed in the jaws of the relentless harlot. Even in the present day, the venerable remnant of the Waldenses are prophesying in sackcloth, and poverty, and oppression. No Waldense is allowed to practice as a lawyer or a physician, save among his own people: no Waldense can purchase land out of his own valleys: no Waldensic clergyman is allowed to sleep out of his own district: and, with an insolence as paltry as it is ridiculous, a high wall has actually been built before one of the Waldensic churches, lest the hated sight should contaminate the eyes of some handful of immaculate papists who happen to live in that particular canton. In this, however, there is nothing surprising. We have been told again and again, that *the church of Rome never changes:* and verily I bless the simplicity of that protestant, who refuses to believe this ten times repeated assertion.

IV. Thus, even on Signor Pastorini's *own showing*, it inevitably follows, on the strictest principles both chronological and circumstantial, that the blood-stained harlot of the Revelation, during the reign of the ten horns, CANNOT be *Rome pagan*, and therefore MUST BE *Rome papal.*

The solemn result of the entire investigation, I would lay before the Romish population of Ireland, not in my own words, but in the very words of Holy Writ itself.

What then says the warning voice of inspiration in regard to the apostate and persecuting church of Rome?

All nations have drunk of the wine of the wrath of her fornication; and the kings of the earth have committed fornication with her; and the merchants of the earth are waxed rich through the abundance of her delicacies. COME OUT OF HER MY PEOPLE, that ye be not partakers of her sins, and that ye receive not of her plagues. For her sins have reached unto heaven; and God hath remembered her iniquities.—*Rev. xviii. 3, 4, 5.*

Most affectionately would I urge it upon the Romish laity of Ireland, to read and study God's own Word, the blessed Scriptures of truth. This study would effectually dispel the delusion, under which they now labour: the fumes of that drugged cup, which the enchantress of the seven hills presents to all her votaries, would lose their intoxicating quality; and for a system of crude unscriptural innovations, we might then hope that the sincere faith of the ancient primitive church would be happily substituted. That the downfall of the apostate church of Rome is inscribed in the prophetic volume, there can be no doubt even on the principles of Signor Pastorini himself. I have claimed that expositor as an ally; whether I have not made good my claim, I appeal to the Irish public at large.

QUIDAM.

LETTER VI.

To the Editor of the Irish Observer.

SIR, ENGLAND, Nov. 30, 1824.

I HAVE read with attention two letters on the subject of Transubstantiation, which have successively appeared in the Irish Observer, under the signature of CATHOLICUS. Should it be agreeable to you to insert the following remarks on them, they are much at your service.

Catholicus, if I mistake not, takes two several grounds for the purpose of proving his point—*the necessary, or at least the most natural construction of our Lord's words; and the authority of antiquity.* On neither of these points is the united church of England and Ireland afraid to meet him.

1. He argues, that our Lord does not say, *This bread is the symbol of my body, or this wine is the symbol of my blood*; but simply and expressly, *This bread is my body, and this wine is my blood.* Therefore, to adopt a symbolical interpretation, where no point of a symbol is given, must needs be gratuitous and inadmissible.

I readily allow, that, so far as the bare letter is concerned, the words of our Lord express, *that the bread is his body, and that the wine is his blood;* but I have yet to learn, that the language of

Scripture must inevitably be interpreted according to the bare letter. If Christ says, *This bread is my body, and this wine is my blood,* he also expressly says, *I am the door,* and *I am the vine.* Hence, on the principle of interpretation recommended by Catholicus, I see not how we are to avoid the somewhat extraordinary doctrine, that Christ is a literal vine-tree, and a literal door, through which we must all pass in our journey heavenward. If no hint of a symbol is given in the one case, neither is there any hint of a symbol given in the other cases. And I am at a loss to discover, why we should be *compelled* in the one case to adopt a literal exposition, while, in the other cases, we are *left perfectly at liberty* to prefer a figurative exposition. Analogy requires, I should think, that the same *principle* of interpretation ought to be *uniformly* maintained. If we prefer the *literal* scheme, then, no doubt, the bread and wine will be *literally* the body and blood of Christ; but then, by the same scheme, Christ will be *literally* a door, and a vine. On the other hand, if we adopt the *figurative* scheme, then, of course, a door, and a vine, will be only *symbols of Christ*; but then, by the same scheme, the bread and the wine will be only *symbols* of Christ's body, and Christ's blood.

Let Catholicus freely choose which *principle* of scriptural exposition he pleases; but, when he *has* chosen it, let him abide by it. At present, unless, indeed he be prepared to maintain that

Christ is a *literal* door, and a *literal* vine, like the traveller in the fable, he certainly blows both hot and cold.

2. But Catholicus thinks, that the primitive church is decidedly on his side; and to establish his point, he adduces, in somewhat formidable array, the several authorities of Ignatius, Justin, Irenus, Tertullian, Origen, Hippolytus, Hilary, Ephrem of Edessa, Cyril of Jerusalem, Ambrose, Jerome, and Augustine.

1. So deep is my veneration for catholic antiquity, that if Catholicus could have proved his point from *those writers, who either wholly or nearly touch the Apostolic times*, I should have thought it vain to contend with him; but it is my misfortune not to discern the cogency or appositeness of his citations. His argument, as built upon these citations, unless I wholly misapprehend its purport, may be stated in manner following:—

Christ says of the bread, "This is my body;" and, of the wine, "This is my blood." But all the fathers cited by Catholicus most incontrovertibly make the same declaration respecting the bread and the wine. Therefore, on the authority of the primitive church, we are bound to believe, that the bread, by consecration, becomes the literal material body of Christ, and that the wine, by consecration, becomes his literal material blood; in other words, we are bound to believe the doctrine of Transubstantiation.

Such, if I mistake not, is the argument of CATHOLICUS when thrown into regular syllogism; but so far as I recollect my old Oxford logic, I do not exactly see how the conclusion follows from the premises, since our Lord himself declared, that the sacramental bread and wine were his body and blood. Certainly, neither the early fathers, nor any other good christians, even in these modern heretical times, will be disposed to controvert his words. But *this*, I take it, is not precisely the question at issue between the church of Rome and the Anglo-Hibernian church. The true question is, IN WHAT SENSE *our Lord spake the words of the first consecration?* Now, it is quite clear, that, amply to quote the early fathers, as saying THE VERY SAME THING that Christ said, leaves the *real* point in debate wholly untouched. With equal conclusiveness might a Romish theologian demonstrate the doctrine of Transubstantiation from the language of the Anglo-Hibernian church; for she confessedly declares (and strange as it may seem to Catholicus, all her children freely assent to her declaration,) that *the body and blood of Christ are verily and indeed taken and received by the faithful in the Lord's Supper.* We readily acknowledge, that the primitive church, adopting the words of her Divine Founder, pronounced the sacramental bread and wine to be the body and blood of Christ; but, until it can be proved that she used these words *in the same sense* as the modern church of Rome used them, I see not the

utility of such citations from her documents. They leave the *true* point in debate just where they found it.

2. Thus would I be content to reason if the early fathers had said nothing more on the subject than what is contained in the passages usually produced by Latin controversialists; and, whatever might truly have been the specified sentiments of the primitive church, I should certainly feel quite satisfied, that, at all events, the utter inconclusiveness of the argument propounded by *Catholicus* had been fully exposed. But, in reality, though it is almost more than could have been expected, when we consider that the primitive church was agitated by no dispute on *this* particular topic, we may happily learn enough to prove, that her doctrine respecting the eucharist, was the very opposite to that which is advocated by the church of Rome.

Christ, indeed, says Tertullian, "neither rejected the water of the Creator with which he washes his disciples, nor the oil with which he anoints them, nor the fellowship of milk and honey with which he feeds them as infants, nor the bread by which HE REPRESENTS his own body."

I subjoin the words of the original: "*Sed ille quidem usque nunc nec aquam reprobavit Creatoris quâ suos abluit, nec oleum quo suos unguet, nec mellis et lactis societatem quo suos infantat, nec panem quo ipsum corpus suum* REPRÆSENTAT."—Tertull. adv. Marcion. lib. 1. p. 155.

Be well assured, says Clement of Alexandria, "that he himself also partook of wine; for he himself also was a man. And he blessed the wine, saying, Take, drink, this is my blood, the blood of the vine. Thus the holy liquor of exhilaration ALLEGORICALLY REPRESENTS the Word, who poured himself out for many for the remission of sins."

I again subjoin the words of the original:—

"Ευ γαρ ιστε, μετειλαβεν οινου και αυτος. Και γαρ ανθρωπος και αυτος. Και ευλογησεν τε τον οινον, ειπων, Λαβετε, πιετε, τοι το μου ιστι το αιμα, αιμα της αμπελου. Τον λογον τον περι πολλων εκχυομενον εις αφεσιν αμαρτιων, ευφροσυνης αγιον ΑΛΛΗΓΟΡΕΙ ποτηριον.—Clem. Alex. Pædag. lib. 2, c. 2, p. 158."

Now, if the bread and wine be *literally* Christ's body and blood, they cannot be said to REPRESENT them; for, in that case, we might say, *that Christ's body and blood* REPRESENT *Christ's body and blood*, which is a manifest absurdity. But Tertullian and Clement alike declare not that the bread and wine LITERALLY BECOME Christ's body and blood, but only that they ALLEGORICALLY REPRESENT them. Therefore, since the very turn of the language employed by these two fathers evidently shows, that they speak the sense of the whole contemporary catholic church, and not merely their own private unauthoritative opinion; therefore I say, the doctrine of Transubstantiation cannot have been the doctrine of the catholic church in the time of Tertullian and Clement.

Tertullian, however, and Clement, alike flourished at the end of the second century. Hence, it is clear, that the doctrine of Transubstantiation

was unknown to the church of the two first ages; and hence, it of course follows, that that doctrine is a mere unauthorised NOVELTY which, doubtless, ought to be rejected on the principle of Tertullian's own admirable canon: — *Whatever is true, is* FIRST; *whatever is* LATER, *is spurious.*

3. I have now produced both a Latin father, and a Greek father, each of whom clearly indicates, *that the catholic church of the two first centuries knew nothing of the doctrine of Transubstantiation;* but *that she understood our Lord's words, precisely as they are now understood by that sound apostolic branch of the catholic church, which is happily established in this realm of England and Ireland.* Under such circumstances, it matters not to the argument WHEN the doctrine of Transubstantiation was invented. Let it have been invented and introduced at what period it may, since it was neither held nor known by the catholic church of the two first centuries, it is undisputedly a mere NOVELTY. I cannot compliment *Catholicus,* upon the history which he has given of this unscriptural innovation, because it is certainly very defective. He speaks only of Berenger, as if he *first* denied the doctrine of Transubstantiation; but this is inaccurate. The doctrine was, in truth, originally excogitated in the ninth century by Pascasius Radbertius, Abbot of Corbey, who, availing himself of the loose and unguarded language of his incautious predecessors, roundly maintained, *that the bread and wine*

were literally transubstantiated into the real body and blood of Christ; but this innovation was so far from being approved of, that it was immediately opposed as an heterodox novelty, by Rabanus Maurus, archbishop of Mentz, Heribaldus Ratramnus of Corbey, and Johannes Scotus. Of these several advocates of the old doctrine, the two last were the clearest, and the most able. The treatise of Scotus has unfortunately perished, but the work of Ratramnus is still extant; and I may observe, that an English translation of it was published in Dublin, in the year 1753. From this work we learn, that the principles which they maintained were the very same as those which, (as we learn from Clement and Tertullian) were maintained by the catholic church of the two first centuries. The bread and wine, they contended, were *signs* or *symbols* of the body and blood of Christ, that is to say, as Clement and Tertullian speak, and as the Anglo-Hibernian Church still maintains from primitive antiquity, Christ's body and blood are *allegorically or figuratively represented* by the elements of bread and wine. But as I have already observed, it matters not WHEN the doctrine of Transubstantiation was introduced. That doctrine was unknown to the catholic church of the two first centuries, THEREFORE, it is AN INDISPUTABLE NOVELTY.

I have the honor to be,

Your obedient, humble Servant,

QUIDAM.

LETTER VII.

To the Editor of the Cork Constitution.

SIR, ENGLAND, Jan. 14, 1825.

THE answer which Catholicus has given to my letter of November 30, 1824, only reached me yesterday: and I lose no time in replying to it.

Respecting one part of my argument, his answer sets forth much which is wholly irrelevant to the main question: and, respecting the other part, he is altogether silent.

1. That part of my argument, which was founded upon external evidence, was to the following effect: The testimony of Tertullian and Clement of Alexandria, who flourished at the close of the second century, proves, that the doctrine of Transubstantiation was NOT the doctrine of the church of the two first centuries. Hence, let the doctrine have been invented *when* and *by whom* it may, (a matter of the least possible consequence to the argument,) it is clearly A NOVELTY; because, during the two first centuries, it was NOT the doctrine of the church.

Such was my argument, which rested solely upon the doctrine of *the two first centuries*; yet, in the course of his reply, Catholicus adduces Cyril and Ambrose who flourished in the *fourth century*, John

of Damascus who flourished in the *eighth century*, and Luther who flourished in the *sixteenth century*.

Now these deductions strike me as wholly irrelevant: nor can I discern their utility. As little can I see the benefit of disputing, whether Paschasius was or was not the inventor of the tenet. Even if Cyril and Ambrose, and John of Damascus were as certainly transubstantialists, as Luther was a consubstantialist, still what I have said would not be in the slightest degree affected. As I observed in my former letter, "it matters not WHEN the doctrine of Transubstantiation was introduced. That doctrine was unknown to the catholic church of the two first centuries; THEREFORE it is AN INDISPUTABLE NOVELTY." To adduce authors, who flourished SUBSEQUENT to the second century, even if those authors actually held the doctrine of Transubstantiation, can never disprove my statement, that the doctrine was not the doctrine of the church DURING the two first centuries. On these grounds I apprehend, that well nigh one half of the letter written by Catholicus is wholly irrelevant to the true question: and, as such, I deem it superfluous to offer any further answer to it.

Omitting then what is irrelevant, I shall hasten to that part of his reply, which may justly be esteemed relevant to the question between us.

I. I had brought forward Clement of Alexandria, as a witness, that, in his time, the sacramental wine was viewed only as an allegorical representation or figure of our Lord's blood.

The reply of Catholicus, unless I wholly misunderstood it, is to the following purport:

Clement is proving the legality of wine against the Encratites, who maintained it: the expression *Take, drink, this is my blood, the blood of the vine,* is an hyperbaton equivalent to *Take, drink this, the blood of the vine is my blood;* and, although Clement certainly intimates that the holy wine is the sign or allegorical representation of the blood of Christ, this intimation shows no disbelief of the doctrine of Transubstantiation; because the consecrated bread and wine, as to their unaltered external appearance, may fitly be called *the signs of the body and blood of our Lord.*

1. With respect to the reasoning of Clement's being directed against the Encratites, my omission to state which circumstance is censured by Catholicus is an unfair suppression, I really cannot perceive, how the main question is in the slightest degree affected by it; and, since I wished to avoid the charge of prolixity, I supposed that I might very innocently stop in my quotation from Clement where I *did* stop. That father, as I understood his words, informed us, that the *sacramental wine allegorically represented or allegorically signified the blood of Christ.* Now, against whatever persons he might be arguing, this declaration (the only matter with which I was specially concerned) would still remain the same. So I thought, when I wrote my former letter; and so I still think, notwithstanding the remarks upon the Encratites which are contained in the reply of Catholicus.

2. The theory of an hyperbaton injures my argument not a jot more than the speculations of the Encratites. That argument was not founded upon the sacramental words pronounced by Christ: but it was founded upon the assertion of Clement, that the *holy wine allegorically signifies the blood of the Divine Word.* Catholicus, therefore, is heartily welcome to his hyperbaton, if he can discover the least utility in it. For my own part, I can discern none. If the hyberbaton be admitted, the words of consecration will run: *The blood of the vine is my blood.* But the question will still remain, in WHAT SENSE the blood of the vine is the blood of Christ; that is to say, whether in the popish, or in the protestant sense: while the subsequent assertion of Clement, upon which ALONE rests my argument, remains wholly untouched and unaffected.

3. Of this, Catholicus himself *seems* to be sensible; and, accordingly, after he has attempted to divert his reader's attention from *the only true* point of debate by the utter inapplicability of the Encratites and the hyperbaton, he at length endeavours to rid himself of that formidable assertion of Clement, which formed the EXCLUSIVE basis of my argument from the learned Alexandrian.

Clement, as Catholicus attempts not to deny, asserts, that the holy or consecrated wine of the Eucharist allegorically represents, or allegorically signifies, that blood, which the Divine Word poured out for the remission of sins.

Such, confessedly, is the assertion of Clement; an assertion, one might think, incapable of being misunderstood, or perverted by any sober inquirer who professed a plain understanding. But Catholicus does not despair of being able to retain at once Clement's perfectly unambiguous assertion and the apparently irreconcilable doctrine of Transubstantiation. The consecrated bread and wine, argues Catholicus, though transubstantiated into the literal body and blood of Christ, remain unaltered as to their external appearance. Therefore, since they still *look* very like bread and wine, though in truth they have *ceased* to be bread and wine, we say nothing contrary to catholic doctrine, even if we take up the words of Clement, and declare with him, that *the holy wine allegorically signifies the blood of Christ.*

Does Catholicus imagine, that this *quid libet ex quo libet* will satisfy even a simple, honest, and unprejudiced inquirer? Is he prepared to say, that, if any one of those numerous victims, who have been burned alive by papal Rome on the score of transubstantiation, had expressed his belief in the precise words of Clement; *that* victim, by such a primitive confession, would have escaped the devouring flames? Catholicus knows full well, that an adoption of Clement's language, in the courts of Bonner or of Gardiner, would at once have stamped the offender an incorrigible heretic.

But let us examine the special pleading of this gentleman somewhat more minutely.

The consecrated bread and wine, he argues, because they *look* like bread and wine, may yet be said *allegorically to signify or represent* that identical flesh and blood, into which they themselves have been transubstantiated.

Now, according to any known principles of language, we may well ask: *how is this possible?* Literal wine may *allegorically singnify* literal blood: but if the wine be *transmuted* into the blood, the wine of course *becomes* the blood: and assuredly, when the wine has actually *ceased* to be the wine, and has actually *become* the blood, it cannot ALLEGORICALLY SIGNIFY the very thing, which itself has ACTUALLY BECOME. According to Catholicus, the wine by sacerdotal consecration BECOMES the blood; yet, though it has ACTUALLY BECOME the blood, it still ALLEGORICALLY SIGNIFIES it. That is to say, in plain English, the literal and proper and true blood of Christ (for such is the consecrated wine pronounced by Catholicus to be) ALLEGORICALLY SIGNIFIES the literal and proper and true blood of Christ! Hence, obviously, on the same extraordinary principle of allegorization, the man Catholicus ALLEGORICALLY SIGNIFIES the man Catholicus; while the man Quidam, *in like* manner, ALLEGORICALLY SIGNIFIES the man Quidam! This is the rank nonsense, which Clement must have talked, if indeed he were like-minded with Catholicus. Yet, says Catholicus with perfect naïveté, "Let this explanation be applied to the words of Clement, and the difficulty instantly vanishes!" Does it

indeed? Verily, to my undecerning protestant understanding, confusion becomes ten-fold more confounded. Catholicus does me the honour to charge me with an *Ignoratio Elenchi.* What shall I say in return to *his* ignorance of the very first principles of language? In the very nature of things it is impossible, that any given matter should allegorically signify itself. The matter, which allegorically signifies, clearly CANNOT be the same, as the matter which is allegorically signified: otherwise, when we interpret St. Paul's allegory in the epistle to the Galatians, we shall be driven to the strange absurdity of maintaining, that the literal woman Hagar is absolutely identical with the literal Mount Sinai in Arabia. Therefore, when Clement declares, as the doctrine of the church in his time, that the HOLY wine after consecration, ALLEGORICALLY SIGNIFIES the blood of Christ: nothing is more self-evidently certain, than that, in *his* apprehension, the ALLEGORIZING wine was ONE THING, and the ALLEGORIZED blood of Christ quite ANOTHER THING.

Catholicus would frame a loop-hole, for the purpose, if necessary, of affecting a decent retreat. "It is no wonder," says he, "that Clement's words, with regard to the Eucharist, are not as precise, as if he had professedly written on the subject."

This I allow, is no great wonder; but I deem it a VERY great wonder, I deem it an ENORMOUS wonder, that any man of plain common sense should talk with such incurable absurdity, as to

declare, that the blood of Christ ALLEGORICALLY SIGNIFIES the blood of Christ; for such most indisputably, if Clement were a Transubstantialist, is the sum and substance of his assertion. Nor can Catholicus creep out of his difficulty by saying, that Clement speaks of the wine BEFORE consecration. The unlucky adjective, ἅγιον, which he joins to the substantive ποτήριον, effectually precludes any such evasion. Clement speaks of the HOLY or CONSECRATED wine: and this HOLY or CONSECRATED wine, he tells us, ALLEGORICALLY SIGNIFIES the blood of Christ.

According then to the express and unambigious testimony of Clement, the doctrine of the catholic church, during the two first centuries, was the precise opposite to the doctrine of Transubstantiation. I see not therefore how Catholicus will avoid the conclusion, that that tenet, at whatever time it might be invented, was later than the year 200. Hence it is doubtless a CONVICTED NOVELTY; and hence, by the excellent canon of Tertullian, it ought clearly to be rejected:—*Whatever is true is* FIRST; *whatever is* LATER *is spurious.*

2. My other witness was Tertullian, who appears to me to set forth exactly the same doctrine as his contemporary Clement.

Here, however, Catholicus objects to the ambiguity of the Latin word *repræsento*; it denotes either *to represent*, or *to exhibit as actually present*.

Catholicus is perfectly accurate in his statement; and this part of his reply, which is unquestionably

the best part of it, does much to his controversial ingenuity. Yet I fear the objection is more specious than solid. Catholicus, I presume, would translate Tertullian's Latin; *the bread by which he exhibits his own body as actually present:* though he allows, I apprehend, that it may be equally rendered; *the bread by which he represents his own body.* Hence, if Catholicus should be unable to convert Tertullian into a sure ally, he might at least hope to make him a neutral.

I was not ignorant of the ambiguity of the word *repræsento:* but my horror of prolixity, and my unwillingness to encroach unduly upon the indulgence of the Irish Observer, prevented me from stating the ground, on which I prefer my own translation to that of Catholicus. Since, however, that gentleman has entered upon the subject, your liberality, Sir, will I am sure, pardon this unwilling encroachment on my part.

The grounds of my preference were these, Clement and Tertullian were contemporaries: and as we read not that the opinions of either, relative to the Eucharist, were ever censured or controverted; I deemed it reasonable to conclude, both that they agreed with each other, and that they each spoke the familiar doctrine of the Church of the two first centuries. Now, in the language of Clement, there is NO ambiguity. He EXPLICITLY declares, that the holy or consecrated wine ALLEGORICALLY SIGNIFIES the blood of Christ. Such being the case, I judged, perhaps not

unreasonably, that the ambiguous phraseology of Tertullian ought to be interpreted by the unambiguous phraseology of Clement. For I clearly saw, that, *if I* translated Tertullian's *repræsentat* in the manner recommended by Catholicus, I should place the two contemporary fathers in a state of direct mutual opposition: Clement, in that case, declaring, that *the consecrated wine only allegorically signifies the blood of Christ;* while Tertullian would inconsistently be made to declare, that *the consecrated bread exhibits the body of Christ as actually present.* To avoid this palpable contradiction between the two contemporary fathers, I rendered Tertullian's *repræsentat* so as to make him speak the same language as Clement: and certainly, nothing, which has been said by Catholicus, leads me to doubt the strict propriety of my translation.

I shall venture therefore to repeat the assertion in my former letter, that "I have now produced both a Latin father, and a Greek father, each of whom clearly indicates, that the catholic church of the two first centuries knew nothing of the doctrine of Transubstantiation; but that she understood our Lord's words, precisely as they are now understood by that sound and apostolic branch of the catholic church, which is happily established in the realm of England and Ireland."

With respect to "the foul mouthed apostle" Luther, (as Catholicus classically denominates that great man) and his doctrine of consubstan-

tiation, have the papists of Ireland yet to learn, that we pin our faith no more upon the sleeve of Luther than upon the sleeve of the pope. From the manner, in which I have frequently seen that eminent reformer brought forward by Romish controversialists, one might really imagine them to think, that we of the established church are pledged to defend all his opinions. Here lies their mistake. We agree with Luther, so far as he agrees with the scripture and the primitive church; but we have not renounced the infallibility of a Roman pope, to uphold the infallibility of a German pope. As for the language of Luther, it was pretty much the language of the day; and we may rationally doubt, with the good leave of Catholicus, whether he was a whit more "foul-mouthed" than that bloody persecutor bishop Gardiner of Winchester, who, in the happy days of Queen Mary of Smithfield memory, was in the habit of saluting the glorious martyrs of our church with the courteous appellation of *knave, traitor, heretic, villain, fool,* and *beast.* In the use of language, alike unbecoming a christian and a gentleman, I vindicate neither the Saxon reformer or the English persecutor; but, when Catholicus took Luther to task for his ill manners, he ought to have remembered the adage, *Clodius accusat moechus.*

3. Though the citations which Catholicus has made from writers SUBSEQUENT to the second century, are palpably irrelevant to the true question

between us, it must be confessed, that no such charge can be brought against his quotation from Justin Martyr. That father flourished about the year 140; he was, therefore, EARLIER than either Clement or Tertullian. Hence I readily allow, that any quotation from Justin, is strictly relevant. Thus far, I allow; but, at the same time, I am constrained to say, that, although the cited passage had been familiar to me long before I dreamed of our present little controversy, it never happened once to strike me as teaching the doctrine of transubstantiation; nor can I discover this doctrine in it a jot more clearly, even after the elucidation bestowed upon it by my respectable antagonist.

Catholicus has given no reference to the passage in question; it occurs however, in Justin's first apology, vulgarly called his second; and, as I can find in it no vestiges of transubstantiation, I may be allowed to doubt the conclusiveness of my opponent's syllogism, that, as "transubstantiation was taught and believed in the second century, THEREFORE it ought to be believed in the nineteenth."

Justin tells us, that we receive not the sacramental bread and wine as common bread and common drink; but in like manner as Christ our Saviour was made flesh for us of the substance of his virgin mother, so are we taught that the bread and wine are the flesh and the blood of that Jesus who was made flesh.—*Just. Apol. i. vulg. ii. p.* 76, 77. *Sylburg*, A. D. 1593.

Such was the doctrine of the primitive church in the time of Justin, and such is still the doctrine of the church of England and Ireland: but I vainly labour to discover in the passage, the Romish tenet of transubstantiation. The bread and wine, when consecrated, cease to be common bread and wine; that is to say, they can no longer be lawfully used for profane or secular purposes; and we are taught by Christ himself, as Justin was taught before us, that the holy bread and wine are his body and blood. In the whole of this we fully agree with Justin; but the question will still remain, in WHAT SENSE he used the words of our blessed Lord. Catholicus thinks, that "Justin evidently institutes a comparison between the reality of Christ's flesh in the blessed Eucharist, and the reality of the flesh in the Incarnation." It is my misfortune to be unable to discern any such comparison. Expressions, equivalent to *as* or *in like manner* (for I presume Catholicus detects the evident comparison in Justin's ὃν τρόπον) by no means imply of necessity the act of comparing; they are frequently used for little more than the purpose of binding together two members of a sentence. Thus St. Paul interposes Ὡσαύτως, or *in like manner*, between *the prayers of Christian* men, and *the modest apparel of Christian women*; yet, even Catholicus himself, I apprehend, will scarcely affirm, that the apostle institutes any such comparison between *the prayers* and *the apparel*, as he would make Justin institute between

the pretended reality of Christ's flesh in the Eucharist, and *the acknowledged reality of his flesh in the Incarnation.*—1 Tim. ii. 9, 10. Doubtless, Catholicus may say, that Justin clearly used the words of our Lord in *his* sense; but then Quidam may be no less sure, that Justin used them in *his* sense. So, accordingly, stands the matter between these two doughty disputants; and how is their difference to be settled? I see no other mode than by an appeal from *ambiguous* to *unambiguous.* Do we ask for an explanation of Justin's language? We have it incidentally and unambiguously afforded to us by Clement of Alexandria. *The holy liquor of exhilaration,* that is to say, the consecrated wine, which has ceased to be common wine by having been set apart to a holy use, ALLEGORICALLY SIGNIFIES *the poured out blood of* the Word of God.

If Catholicus will favour Quidam with a single quotation from any father of the two first centuries, which declares that *the bread and wine are transubstantiated into the literal body and blood of Christ* as distinctly and precisely as Clement declares, that *the holy wine allegorically signifies the blood of Christ;* Quidam, who deems himself never too old to learn, will be happy to attend to it.

2. I have now considered the objections brought by Catholicus against that part of my argument which is founded upon external evidence: I lament, that his silence gives me no opportunity of replying to any difficulties, which he may have

discovered in the other branches of my argument. Your readers may possibly remember, that this other branch respected the congruity, which ought plainly, I think, to be observed in the interpretation of scriptural language.

If Christ says, *This bread is my body and this wine is my blood,* he equally says, *I am the door, and I am the vine,* Now I wish Catholicus to explain to me, upon what intelligible principles he proceeds, when he requires us to understand the two first expressions LITERALLY, while yet, he himself (I presume) interprets the two last FIGURATIVELY.

In *the abstract,* that is to say, so far as mere naked scriptural phraseology is concerned, I can perceive no reason, why, in the case of apparently quite analagous passages, two entirely DIFFERENT principles of interpretation should be adopted; what reason, in *the concrete,* there may be for the adoption of such a process, Catholicus is not careful to inform me.

Possibly he may allege the infallibility of his church. Now, of this allegation I am ready to admit the conclusiveness, whensoever Catholicus or any other gentleman shall have demonstrated that the church of Rome *is infallible.* Until that shall be done (and I have never yet been fortunate enough to see it done) he must needs be aware, that, what may be a very good argument with the members of *his own* communion, is a very bad argument with thoroughly unconvinced *protestants.*

Until the infallibility of the Romish church, then, shall have been demonstrated, (a matter which I hold to be still a desideratum in theology) the argument from scripture will stand as follows:

If we are bound to believe, that the consecrated bread is the literal body of Christ, and that the consecrated wine is the literal blood of Christ; because doubtless our Lord expressly declares, that the bread is his body, and that the wine is his blood; then are we equally bound to believe, that Christ is a literal door, and a literal vine; because assuredly he no less expressly declares, that he is a door and a vine.

Peradventure, Catholicus may quote against me the passage in John v. 1, 48, 58. Should this ever prove to be the case, I trust he will quote along with it our Lord's own explanation of his own words. The disciples, evidently understanding him *literally*, were offended; whereupon Christ explained himself in a manner, which, so far as I can see, is fatal to the doctrine of Transubstantiation. *It is the spirit that quickeneth; the flesh profiteth nothing. The words that I speak unto you are spirit and life.*—John vi. 63. Such are our Lord's own authoritative exposition of his own words.

I might add, that the doctrine of transubstantiation makes scripture contradict itself. It is declared of our Lord, that *he should not see corruption.* But the doctrine of transubstantiation makes him see corruption every day in every year; for, by a necessary physical consequence from that

doctrine, his literal body and blood, being literally taken as food, partly pass away to corruption by the ordinary process of nature, and partly being chemically absorbed into the bodies of the communicants see corruption, whenever these communicants die and are buried. I wish, however, to be as brief as possible; I shall therefore not urge at large this, and other strange incongruities, which inevitably spring from the doctrine before us.

III. Yet, if I may venture, sir, to encroach a little longer on your patience, I could wish to correct three trifling errors into which Catholicus has undoubtedly fallen.

1. He does me the honour to pronounce me a dignitary of the church of England. I feel the full value of the compliment; but I sincerely regret to say, that he is quite mistaken. To the unspeakable detriment of the English church, not to mention my own manifest inconvenience, I am neither archbishop, bishop, dean, canon, prebendary, archdeacon, nor chancellor. I lament the circumstance as much as Catholicus can do: nevertheless, I assure him, that I speak nothing more than the painful and mortifying truth. In fact, it is far from clear to my opponent, whether I am a clerk or a layman: for, extraordinary as it may appear to Catholicus, some of our laity actually read the Bible and study controversial theology without let or hindrance on the part of our priesthood. My worthy antagonist may depend upon it, that Quidam, though doubtless a very deserving man, is yet no dignitary.

2. Catholicus "apprehends that Quidam, instead of directly consulting the works of Tertullian and Clement, merely culled his scrap from some prejudiced controvertist." Quidam is infinitely obliged to Catholicus for this peculiarly polite and liberal and gentlemanly compliment; but Catholicus is again totally mistaken. Quidam turned very honestly to Clement and Tertullian their own proper selves; and, in their own proper works, with which he is not wholly unacquainted, he read, with his own corporal eyes, the "scraps" which he has culled for the digestion of Catholicus. My copy of Clement is the edition Sylburg, Colon, A. D. 1688; and, by the same token, which I hope will remove all scepticism from the mind of Catholicus, he will find a superb Hercules in the title page shaking hands very amicably with a lady who seems to be Minerva. I wish I could give him an equally full account of the beautiful copy of Tertullian whereof I am the fortunate possessor: but unluckily, or rather (according to a worthy quaker bibliomaniac in these parts) very luckily, it has no title-page. This the *friend* assures me, renders the book eminently valuable, in the eyes of every orthodox bibliomaniac: and, for any thing that I know to the contrary, he may speak the truth; inasmuch as a book printed without a title-page is clearly far better than a book printed with one. Be that, however, as it may, the book certainly lacks a title-page: whence I confess myself unable to give its pedigree. Probably Catholicus, from his great

and special intimacy with the fathers, will recognize the book from the following description. The annotations are placed *before*, instead of *after* each tractate: and the entire volume, exclusive of the index, contains exactly 909 pages, neither more nor less. If my candid opponent be not now convinced that I came very honestly by my "scraps;" I feel persuaded, that every Irish gentleman, who reads this, will be fully satisfied.

3. Catholicus, by way of endangering Mr. Cousins' humility as he hath already most severely endangered mine, very handsomely intimates, that Quidam doubts the abilities of that gentleman, to answer the formidable letters of Catholicus. Here he is once more mistaken. Quidam has not the honour of Mr. Cousins' acquaintance, and never enjoyed the advantage of perusing any one of his writings. Hence, not unnaturally, he feels himself wholly inadequate to pronounce upon Mr. Cousins' talents, nor can he even frame the most remote speculation as to their extent and character.

I have the honour to be,

Sir,

Your obedient, humble Servant,

QUIDAM.

LETTER VIII.

To the Editor of the Irish Observer.

SIR, ENGLAND, Feb. 25, 1825.

THE letter of your correspondent Catholicus, which appeared in the Irish Observer of February 9th, has just reached me. On perusing it, I find that that Gentleman has expatiated in a redundance of irrelevant matter, which can answer no end save that of diverting the attention of your readers from the *true* question between us. So long, therefore, as I have the honour of communicating with him, I shall always pertinaciously disentangle the debate, by bringing it back to the *real* points of discussion. The public will then be able to form a clear and dictinct judgment of our controversy.

Our Lord said of the consecrated bread and wine in the Eucharist, *This is my body* and *this is my blood.*

The dispute between Catholicus and Quidam is, *how such words are to be understood*—whether in opposition to the general tenor of the figurative language of scripture, they ought to be interpreted literally; or whether, in accordance with the general tenor of the figurative language of scripture, they ought to be received ALLEGORICALLY.

Catholicus contends, that the words ought to be understood LITERALLY—whence he maintains, that, by virtue of the supposed process, denominated *transubstantiation*, the consecrated bread and wine LITERALLY ARE the real body and blood of Christ our Saviour.

Quidam, on the other hand, contends, that the words ought to be understood ALLEGORICALLY; whence he maintains, that the consecrated bread and wine ALLEGORICALLY REPRESENT, not LITERALLY ARE, the body and blood of Christ our Saviour.

This is the *true* question between Catholicus and Quidam; and the real points of discussion are, *the external* and *the internal evidence*.

1. The external evidence rests upon the testimony of the primitive church. Here, therefore, the *real* point in discussion is, *whether the most ancient church, the church (we will say) of the two first centuries, DID, or DID NOT, hold the doctrine advocated by Catholicus.*

Of such an inquiry, the importance is evident. If the doctrine of Catholicus were NOT the doctrine of the most ancient church, it will clearly follow, that transubstantiation, at whatever precise period it was introduced, is assuredly AN UNAUTHORISED NOVELTY.

What then, says the most ancient church, still speaking to us through the medium of her yet extant documents.

Clement, of Alexandria, flourished at the close of the second century, but, in an argument which

he is prosecuting against the Encratites, this learned father *expressly* and *unambiguously* states, that *the holy wine in the Eucharist,* ALLEGORICALLY REPRESENTS the blood of Christ. Therefore, most certainly, and most indisputably, the language of Clement is the language of Quidam, NOT the language of Catholicus.

The language, however, of Clement, was never censured by his contemporaries, as if it taught a doctrine different from the doctrine of the then universal church. Therefore, we may be certain, that he set forth the doctrine of the universal church at the time when he himself flourished.

Such being the case, the doctrine of the universal church at the close of the second century, as set forth *most unambiguously* by Clement of Alexandria, was the doctrine, NOT of Catholicus, but of Quidam. In other words, the doctrine of the universal church at the close of the second century, and consequently the doctrine of the most ancient church of the two first centuries was, that *the consecrated wine in the Eucharist* ALLEGORICALLY REPRESENTS *the blood of Christ,* not that *the consecrated wine in the Eucharist* LITERALLY *is the blood of Christ.*

Nothing can be more clear and explicit than the language of Clement; and I am fully assured that, in the mind of every unprejudiced inquirer, it is absolutely decisive of the question between Catholicus and Quidam. From the foregoing statement, therefore, the following is the inevitable result.

The doctrine of Transubstantiation is LATER *in its origin than the end of the second century; THEREFORE, assuredly, it is* AN UNAUTHORISED INNOVATION *upon the sound apostolic doctrine of the most ancient universal church.*

This, in brief, is my argument, deduced from external evidence; and, throughout the entire letter of Catholicus, I vainly seek for any thing which can deserve the name of *an answer*. Such an answer, however, as he *does* attempt to give, I shall now proceed to notice.

1. Clement, who had assured us, that *the consecrated wine* ALLEGORICALLY REPRESENTS *the blood of Christ*, further tells us, it seems, that *the bread and wine, given by Melchizedek to Abraham and his followers, were a type of the Eucharist.*—Strom. lib. iv. p. 539, Sylburg. Colon. Such, no doubt, is the assertion of Clement. But what then? Where is the proof, that Clement held the doctrine of Transubstantiation, and that he at length devoured his assertion, that *the consecrated wine* ALLEGORICALLY REPRESENTS *the blood of Christ?*

Catholicus discovers the much desired proof, in the abstract nature of what is called a type. He reasons as follows:—

A type is less than its antitype. But, according to Clement, Melchizedek's bread and wine were typical of the Eucharist. Such being the case, Melchizedek's bread and wine are less than the Eucharist; while the Eucharist, consequently, is greater than Melchizedek's bread and wine.

THEREFORE Clement, notwithstanding his assertion that *the holy wine* ALLEGORICALLY REPRESENTS *the blood of Christ*, doubtless held the doctrine of Transubstantiation.

Whether such logic will satisfy those gentlemen who agree with Catholicus, I shall not undertake to determine; but I fear it will never convince or convert, those who have the misfortune to disagree with him. From the premises, *A type is less than its antitype*, we may certainly prove, that the Eucharistic bread and wine, wherewith the *souls* of the *faithful* are *spiritually* nourished, excel the bread and wine, wherewith the *bodies* of Abraham and his followers were *physically* nourished; but, by what intelligible process of reasoning Catholicus brings out the very unexpected conclusion, that *Clement held the doctrine of Transubstantiation*, I must confess myself utterly unable to comprehend.

Catholicus invites Quidam to account to the public for omitting, in his last letter, to notice the present most extraordinary argument. Quidam really doubted, whether Catholicus could be in earnest; but, as he is now convinced that such is actually the case, Quidam has no longer omitted to notice what he had before neglected, as plainly unworthy of any serious attention.

2. The language of Clement, relative to the Eucharistic wine, we might well think, was too clear to be explained away. Catholicus, however, does not despair of affecting this desirable object. He is determined, that the good old father, though he

speaks the precise language of that graceless heretic Quidam, shall yet be metamorphosed into an orthodox transubstantialist. In this field of high adventure, Catholicus, accordingly, expatiates in manner following:

The bread and wine, though certainly transmuted into the *real* body and blood of Christ, still continue to bear a most provoking *resemblance*, both in aspect, and touch, and smell, and taste, and every cognizable quality, to true and proper bread and wine. This circumstance, which of course could not be overlooked by Clement, produced an odd sort of confusion, both in his ideas and in his phraseology. The consecrated elements, being still to all outward appearance true and proper bread and wine, in *that* point of view ALLEGORICALLY REPRESENT the body and blood of Christ; but then these self-same elements, having nevertheless *ceased* to be bread and wine, and having actually *become* the real body and blood of Christ, LITERALLY ARE, in *this* point of view, the identical body and blood, which, in *other* points of view, they ALLEGORICALLY REPRESENT.

This most ingenious apology for Clement would, I take it, have been far more satisfactory, if the learned father had any where *said*, that the bread and wine, having been imperceptibly transmuted into *real* flesh and blood, thus BECOME, when consecrated, the *literal*, and *true*, and *proper*, and *material* body and blood of Christ. But, unluckily, Clement only tells us, that *the consecrated wine* ALLEGORICALLY REPRESENTS *the blood of the Divine*

Word. Not a single syllable does he utter relative to any supposed invisible transmutation. Hence, I greatly fear, the charitable gloss of Catholicus will every way fail to expurgate the luckless Clement from our dreaded protestant heresy. The good father is *full* and *explicit* in asserting the ALLEGORICAL part of the matter; but, as to the LITERAL part which Catholicus so kindly wishes to put into his mouth, he is, most unaccountably no doubt, *quite silent.*

Yet, I trow, we cannot much marvel at his silence; for had he really *said* what Catholicus is sure he *meant*, the whole argument, which he is prosecuting, would have been most ridiculously inconclusive.

The object of Clement is to prove, against the Encratites, *the legality of the use of literal wine*; and one of the media of his proof is, *the drinking of the Sacramental wine as commanded by Christ* himself. Such is the perfectly clear and conclusive argument of Clement. *It must needs be lawful to drink wine,* BECAUSE *Christ commanded it to be drunk in the Eucharist.* But, if, in his judgment, the *apparent* wine in the Eucharist was all the while no *real* wine; if, on the contrary, this only *apparent* wine was true and *proper* human blood; how can the command of Christ to drink this *true* and *proper* human blood, in any wise demonstrate the legality of the use of *true* and *proper* literal wine? The whole argument of Clement plainly rests upon *the strict reality* of the

consecrated wine in the Eucharist. Had he believed *the apparent wine to be real human blood*, common sense shows, that he never could have employed so preposterous an argument; for how is it possible that a command to drink *literal human blood* can establish the legality of drinking *literal wine?* If Clement had *thus* reasoned, it were small wonder had the Encratites seriously recommended a voyage to Anticyra.

3. Finding his late argument from Justin quite insufficient against the clear and unambiguous testimony of Clement, Catholicus, by way of mending the matter, is now inclined to press Ignatius into the service of transubstantiation. This father, doubtless, lived within the limits of the two first centuries; so far as *chronology*, therefore, is concerned, I admit him to be an unexceptionable witness in our present argument; but I much fear that chronology *alone* will prove to be insufficient.

1. In citing Ignatius, is Catholicus ignorant that he treads upon very treacherous ground—or does he build upon the presumed ignorance of his friend Quidam? I need scarcely say, that the *longer* epistles of Ignatius are universally given up; and I wish most heartily that the *perfect* authenticity even of the *shorter* epistles had been established; because, in more than one controversy, they would be eminently useful to the cause of sound doctrine. But I fear we must not venture to cite them *disputatively*. Quidam would rejoice to bring them to bear upon the Socinians; but he is apprehensive

that those gentlemen would only bless his simplicity. Catholicus, more critically stout-hearted than his good friend the English dignitary, adduces them, with abundant magnanimity, to demonstrate the transubstantialism of ancient Ignatius.

2. Yet, even if the cited passage be genuine, (which very possibly *may* be the case, though Quidam would not have ventured to adduce *it in controversy*) still I must borrow the Latin spectacles of Catholicus, before I can read in it the doctrine of transubstantiation. Though *my* plain and peradventure *ill-mounted protestant glasses*, albeit I have strained my eyes well nigh to cracking, I verily can discern no such tenet. The curious reader will find the passage in *Ignat. Epist. ad Smyrn.* vii.: and, if he will take the trouble of examining the context, he will perceive, that the author of the epistle is writing against that sect of the Gnostics, who denied the reality of Christ's body; who maintained that he was a mere insubstantial phantasm, and who thence were called *Docetæ*. Now these phantasiasts, from the very necessity of their avowed principles, impiously controverted the words of Christ himself. The Saviour had said, *This bread is my body*; but the Docetæ denied, that Christ *had* any body. Hence, of course, they refused to confess, that the consecrated bread was the flesh of our Saviour. For this impiety they are justly blamed by the writer of the passage; but, how such a circumstance can prove the writer to be a transubstantialist,

quite exceeds my limited comprehension. The dispute, as to HOW *the words of consecration ought to be understood*, whether LITERALLY or ALLEGORICALLY, is not so much as even touched upon in the present passage.

4. Catholicus, however, complains, that Quidam has passed over in silence a beautiful passage from Irenæus, who also flourished within the limits of the two first centuries.

Certainly, Catholicus may, with much facility, produce many such beauties, both from the fathers of the two first centuries, beyond which it is plainly superfluous to extend our inquiries, and from the fathers who flourished during a later period, and whose authority is proportionably weaker; but Quidam fears, that such *loose law* will satisfy no person save those who are *already* fortunate enough to agree with Catholicus. When we weigh in one scale the vague indefinite language of Irenæus, which asserts the invalidity of the Eucharist, as administered by certain humanitarian heretics; and when we weigh in the other scale the clear and precise language of Clement, which, in the course of a professed argument, maintains, that *the consecrated wine, not* LITERALLY IS, *but* ALLEGORICALLY REPRESENTS, *the blood of Christ.* No reasonable doubt can remain upon the mind of any cautious inquirer, that the doctrine of the two first ages was the doctrine, not of Catholicus, but of Quidam. Hence, however unwilling Catholicus may be to allow it, the doctrine of Transubstantiation is, by the po-

sitive evidence of Clement, A CONVICTIVE NOVELTY, unknown in the earliest and purest times of the catholic church.

II. The second *real* point of discussion was, the internal evidence afforded by the general analogy of the figurative language of the Scripture.

Christ says, *this bread is my body*, and *this wine is my blood*. He also says, *I am a vine*, and *I am a door*.

Now, to our protestant perception, these several phrases are clearly analogical or homogeneous; and, as they *all* equally agree with the ordinary figurative language of Scripture, we deem ourselves justified with Clement, and the most ancient church, in understanding them *uniformly* and *consistently*. For we really can perceive no reason, why, according to the mutable humour of our good friend Catholicus, we should interpret *some* of them literally, and *others* figuratively.

I. The polite and courteous language adopted by Catholicus, both in his attempted reply to this plain argument, and in sundry other parts of his last letter, clearly demonstrates, that Catholicus has unfortunately lost, what Quidam has no wish to find—HIS TEMPER; but it may be doubted, whether such flowers of Suburran rhetoric will have any particular tendency to work conviction in the minds of those who happen to differ from him. His singularly luminous, and certainly *impartial* demonstration, that Catholicus and his loving friend Quidam, are two asses—his kind offer of taking Quidam under his own immediate tuition,

for the purpose of teaching him the Belles Lettres, as well as Theology; and his supposition, nay his absolute certainty, that an intelligent school-boy would laugh at the person who could be so ridiculous as to imagine that there is a metaphor in the words, *This is my body.* These, and the like beauties, which clearly betoken any thing rather than a state of comfortable feeling on the part of Catholicus, may, haply, elicit a smile; but I fear they will not tend to raise either the temper or the controversial powers of my antagonist in the public estimation. Should he choose to prosecute the discussion any further, I advise him *for his own sake,* to adopt a different strain. The gross age of disputative vulgarity has passed away, and I feel assured, that the Irish who, as a nation, are certainly a nation of gentlemen, will not tolerate any attempt to bring it back: in truth, the phraseology of Catholicus is no less *impolitic* than *indecorous.* When a person becomes angry in argument, it will always be shrewdly suspected that his cause is insecure; and, if I may be permitted to hazard a conjecture, I am inclined to think that, to the very last hour of his life, (unless he should happily be led to embrace a sounder faith than his present,) Catholicus will owe a mortal grudge to good Clement of Alexandria.

2. I have judged it proper to administer this friendly rebuke to Catholicus; and I sincerely hope, that it may prove beneficial to him: let us now see what he has to say to that part of Quidam's argument which respects internal evidence.

(1.) Catholicus "hopes, that Quidam is not quite prepared to abide by the consequences of his own *sapient* rule."

Quidam thanks Catholicus for the flattering epithet, wherewith he has been pleased to decorate his rule; and begs to inform him, albeit contrary to the hopes of his Latin friend, that *he is* QUITE *prepared to abide by its consequences.*

The rule propounded by Quidam is, to INTERPRET HOMOGENEOUS PASSAGES HOMOGENEOUSLY; and though it may well nigh seem incredible, Quidam *is indebted to his propounding of this rule for the offer of Catholicus to become his preceptor in the* Belles Lettres.

Catholicus asks, "will Quidam apply his rule of figurative interpretation to these gospel texts, *This is my beloved Son in whom I am well pleased, and Thou art Christ the Son of the living God, and The Father and I are one?*"

Certainly, Quidam has not the least intention of thus grievously sinning, both against plain common sense, and against his own avowed principle of HOMOGENEITY; though no less certainly, he is lost in amazement at the question thus unaccountably put to him. Quidam perceives that the expression, *This bread is my body* and *I am a vine*, are strictly homogeneous. Hence he interprets them homogeneously; but Quidam is not quick-sighted enough to discover any, the least similitude or homogeneity, between the evidently FIGURATIVE expressions, *This bread is my body*, or *I am a vine*,

and the evidently NOT FIGURATIVE expressions recommended to his attention by Catholicus. The homogeneous expressions, *This bread is my body* and *I am a vine*, are each clearly an allegory, the very essence of which trope is COMPARISON: but if Catholicus can discover even the faintest outline of an allegoric comparison in the sentence, *The Father and I are one*, Quidam will cheerfully award to him the palm of an ingenuity which he himself despairs of attaining. Until that discovery shall have been made and established, Quidam will venture to maintain, that the expressions, *This bread is my body* and *I am a vine*, being clearly homogeneous, ought thence to be interpreted homogeneously; while the expressions, *This bread is my body* and *The Father and I are one*, being clearly NOT homogeneous, thence evidently come not within the limits of Quidam's rule of HOMOGENEITY.

2. Catholicus, however, is sure, that even a school-boy would laugh at the person, who should be so ridiculous as to imagine that there is a metaphor in the words, *This is my body*.

Unluckily for my own domestic and personal comfort, I happen not to be a school-master any more than a Dignitary: I have, therefore, no opportunity of trying upon the muscles of a young school-boy the very curious experiment proposed by Catholicus. Yet, verily, if the luckless wight, in a sholastic examination, should have been led through the *malapropos* prompting of Catholicus, to

answer that *the words in question are* NO METAPHOR; I tremble, lest by a rapid transition to practical logic, his preceptor should effectually convince him of his mistake, by a masterly introduction of the *argumentum a posteriori.*

But let us hear how Catholicus would tutorise the youth on the most approved rhetorical principles, I apprehend, of Maynooth college.

The expression, *I am a vine*, says Catholicus to his hopeful pupil, is clearly a metaphor, as you may learn from Dr. Blair; for the essence of metaphor *is* COMPARISON; and *Christ may fitly* be compared to a vine. But the expression, *This bread is my body*, most clearly is NOT a metaphor; for "what *resemblance* is there between bread and the body of Christ? In what does the *simile* or *likeness* between them consist?—IN NOTHING. Yet, though Dr. Blair says, that a metaphor is a figure entirely founded on the *resemblance* which one object bears to another, and though there be no *resemblance whatsoever* between bread and the body of Christ, that wicked heretic Quidam, insists, that the words, *This is my body*, are metaphorical."

Such is the sum and substance of a lecture on rhetoric, gravely delivered *ex cathedra*, by Catholicus, in his capacity of professor of Belles Lettres and Theology; and I am far from thinking it wholly improbable, that his youthful auditor might be vehemently stimulated to the manifest indecorum of laughter; but whether his diaphragm would be agitated at the expense of Catholicus or

of Quidam, it is not for *me* to determine. If the lad had ever read his Bible, Catholicus I fear, would be in no small jeopardy; if, what is likely enough, that mischief-making book had been laudably withheld from him, I would not in that case *absolutely* undertake to promise and vow for the safety of my worthy friend Quidam.

Christ, says our rhetorical professor Catholicus, *may fitly be compared to a vine. But there is* NO RESEMBLANCE *between bread and the body of Christ.* THEREFORE, *the words of consecration cannot be understood allegorically!!!*

Has Catholicus never read the sixth chapter of the Gospel according to St. John? If he has not, I recommend it to his serious attention. The veriest Tyro in theology would inform him, that, so far from there being NO RESEMBLANCE between bread and the body of Christ, the resemblance between them in the evidently intended point of comparison, is PERFECT and COMPLETE.

By bread, which is even proverbially called *the staff of life*, the natural body, from day to day, is nourished and sustained; by the body of Christ, spiritually received through faith, the soul, from day to day, is nourished and supported to everlasting life.

Here is that resemblance between *the sign* and *the thing signified*, which constitutes a proper metaphor or allegory: and this resemblance is so plain and so obvious to the meanest capacity, that I am really lost in wonder at the unaccountable

language which has been rashly hazarded by Catholicus. That he might talk in such a strain to an ignorant Romish school-boy, I can easily conceive: but, that he should so far forget himself as to read such a lecture to Quidam, of whose vigilance he has already had some very intelligible hints, is indeed most marvellous. *There is no* RESEMBLANCE, forsooth, *between bread and the body of Christ!* THEREFORE *the words of consecration cannot be understood allegorically!*

On the whole then, with the good leave of Catholicus, the two expressions, *this bread is my body*, and *this wine is my blood*, like the two strictly homogeneous expressions, *I am a vine* and *I am a door*, undoubtedly bear upon them the leading essential characteristic of an allegory or a metaphor.

"A metaphor," says Dr. Blair, as cited by Catholicus, "is a figure, founded entirely on THE RESEMBLANCE which one object bears to another. All metaphor imports COMPARISON."*

Now, on *this identical principle*, so incautiously adduced by Catholicus, I maintain, that *every one* of the above expressions is palpably metaphorical. The body and blood of Christ are COMPARED to bread and wine; because the former spiritually feed the soul, as the latter physically feed the body: Christ is COMPARED to a vine, because his people draw spiritual nourishment from him, as the branches draw natural nourishment from the tree: and Christ is COMPARED to a door, because the faithful spiritually enter by him into everlasting life, as

men corporeally enter by a door into a house. ALL these several expressions are clearly analogous or homogeneous; and they are clearly *alike* founded on the rhetorical basis of COMPARISON, so justly defined by Dr. Blair, to be the very substratum of a metaphor or allegory. Quidam therefore, agreeably to the rule propounded by Dr. Blair, and patronised by Catholicus, deems them ALL equally allegorical; and though (if Catholicus may be credited) even a school-boy would deride his folly, yet Quidam can bear this professorial vituperation with the most edifying equanimity, since in his view of our Lord's phraseology, he has the good fortune to find himself supported both by plain common sense, and by the most ancient catholic church of the two first centuries.

I have now firmly wreathed Clement of Alexandria, round the reluctant neck of the modern Latin church; and it will require a stronger arm than that of Catholicus to unrivet this chain of adamant. If, in future, my antagonist will have the goodness to keep to the point, I shall be happy to argue with him as long as ever he pleases. But his idle and irrelevant trifling respecting Luther and Zuingle, can never set aside *the positive evidence* which I have produced, that *the doctrine of Transubstantiation is* AN UNAUTHORISED NOVELTY, *later in its origination than the year* 200. In saying this I am far from admitting that it was the received doctrine even of a much more recent period; but, by a distinct chronological specification, *the* TRUE

question between Catholicus and Quidam is much disentangled and simplified.

I challenge Catholicus to prove against Clement of Alexandria, that Transubstantiation was the doctrine of the church during the two first ages.

If, instead of nullifying the positive and unambiguous testimony of Clement, by equally positive and unambiguous counter-testimony, he should persevere in flying off to all sorts of perfectly irrelevant matter; the intelligent Irish public, of whatever religious denomination, will not require the aid of Quidam to develop the abundantly evident cause of such controversial delinquency.

I have the honor to be, Sir,

Your obedient, humble Servant,

QUIDAM.

LETTER IX.

To the Editor of the Cork Constitution.

SIR, ENGLAND, Jan. 26, 1825.

I HAVE this moment read with deep interest, the letter of your amiable and worthy correspondent, who signs himself "A Modest Inquirer;" his letter appeared in your journal of January 17; and, if some little time should elapse before an answer from me appears to any gentleman whose thoughts may be turned to the same subject as my own, he will, I am sure in candour, ascribe the delay to the very great distance at which I am placed from Cork.

The admirable spirit in which the Inquirer writes, evinces a mind honestly and uprightly anxious to ascertain the truth. Let him pursue his laudable researches, with a diligent perusal of God's holy word, and with earnest prayer to the throne of grace for spiritual assistance: and, I doubt not, that the God of all mercy will lead him to the knowledge of every necessary doctrine.

After this short introduction, I shall proceed, with your permission, to answer those several points in the Inquirer's letter, to which he himself has desired a reply from your correspondents. It is not improbable, that his wish may already have been complied with, before the present paper reaches you; but *in the multitude of counsellors there is safety;* and it may easily happen, that *one* may suggest an idea which has not occurred to *another*.

1. The Inquirer labours under a very singular mistake respecting the biblical principles of protestants: which mistake however, when the numerous and diligent misrepresentations of the matter are taken into the account, is, on *his* part, perfectly easy, and natural and innocent.

Because our excellent authorised version of the Bible is printed, as surely it *ought* to be printed, without note or comment; and because the Scriptures, thus circumstanced, are sold or distributed by the Society for promoting Christian knowledge, and by the British and Foreign Bible Society; the Inquirer has been led to imagine, though certainly

from no intelligent protestant, that we deem it a direct insult to the Deity, and an impiety of the greatest magnitude, to put note or comment to the Bible; and he has been further led to imagine, that we so deem it on the specific ground, that the Bible is clearly intelligible even to unlearned persons of the meanest capacities, provided it be read in the spirit of humility, with docile hearts and honest unsophisticated minds.

Your worthy correspondent best knows, who it is that has led him into this extraordinary error; and I feel a real pleasure in having this opportunity of extricating from it both him and other serious persons, who may have been similarly deceived.

I. The Bible without note or comment is alone printed *by direct authority*, and this identical Bible so circumstanced, is doubtless circulated by our two great *societies;* but, that *individuals* should be precluded from writing notes or comments on the Bible, and that it should be deemed an impiety of the greatest magnitude to publish a Bible accompanied with such illustrations, is most assuredly no doctrine either of protestant churchmen or of protestant dissenters. In truth, *what is the plain matter of fact,* from which the Inquirer may abundantly collect our *doctrine?* The plain matter of fact is this, Among churchmen (to select a few instances out of many) we have the whole Bible severally published, with most abundant notes and comments, by bishop Mant, and

Mr. Scott; among dissenters we have nearly the whole Bible similarly published by Mr. Henry, and the New Testament by Doctor Doddridge. From this simple *fact*, the Inquirer will perceive how entirely he has been misled in taking up the groundless opinion, that "protestants deem it a direct insult to the Deity, and an impiety of the greatest magnitude, to put note or comment to the Bible.

2. Equally has he been misled in regard to the *supposed* ground of our *imaginary* antipathy to notes and comments: namely, that "notes and comments are worse than needless, because the Bible is clearly intelligible to unlearned persons of the meanest capacities." This most absurd speculation has been saddled upon our backs of late, more than once, by the Romish clergy; and one of them (to the best of my recollection, the gentleman who rites under the signature of Nemo) has even out-heroded Herod, by declaring, that the very circulation of our authorised version is, an effective supercession of the need of our clergy. Such therefore, I presume, is the quarter, from which your estimable correspondent has been misled. He may rest assured, however, that no protestant, unless he be a stark-mad enthusiast, (and for sheer madmen protestant churches are no more answerable than the church of Rome); entertains any such wild phantasy. The very existence of our numerous commentaries upon various portions of the Bible, the very existence

of a stated ministry among us, alike disproves this most groundless allegation. Why do we write notes and comments on Holy Scripture, and why do we avail ourselves of the help of a stated ministry, if our doctrine be, that the composition of notes and comments is an impiety of the greatest magnitude, and that the Bible is clearly intelligible to unlearned persons of the meanest capacities? Let the Inquirer only exercise his own sound understanding, and he will forthwith perceive the utter hopeless absurdity of the idle declamations against protestantism, by which he has been so singularly misled.

In good truth, whatever may be our faults and imperfections, we protestants, in point of intellect, are not downright incurable idiots. The principle, upon which we act, is not, I trust, wholly irrational. In the Bible there are many difficult passages, which are not clearly intelligible either to learned or to unlearned persons. The great majority of Christians moreover, from either want of education or from want of opportunity, must needs be, throughout all ages, in a state of comparative ignorance, so far as their own resources are concerned. Meanwhile, analogously to the study of law, or medicine, of political economy, or any other study, those who devote themselves to the study of theology, whether they be clergy or laity, will naturally, we presume, understand it better, and will therefore be better qualified to give an opinion upon the meaning of Scripture, than those who do not

devote themselves to that study. Yet, at the same time, whatever difficulties there may be in some parts of the Bible, large portions of it are abundantly plain: and, since we deem the Bible the inspired Word of God, we venture to think, that those portions will be more authoritatively edifying to the pious Christian reader, than the writings of any mere uninspired author, however eminent for holiness.

Now on the principle here stated, we protestants are content to act. We wish to put the Bible, that grand charter of our common salvation, into the hands of every person who can read; not as superseding the necessity of all instruction, but as best furthering the plan of religious instruction. The Inquirer would think it a very odd sort of reasoning, if we were to say, that a school-master, by the act of placing Virgil and Homer in the hands of his pupils, virtually confesses his own instructions to be no longer necessary: and probably he would think our argument yet more extraordinary, if we should gravely maintain, that the very best mode of teaching a boy Greek and Latin is, carefully to prevent him from ever reading a classical author, lest haply he should mistake the author's meaning. Yet, in point of theology, this is the exact principle of the Romish clergy: and, in point of reasoning, this is the exact argument which they bring against our free communication of the Bible to all men. Because we give the Bible to the poor, just as it is printed by authority, with-

out note or comment, we acknowledge forsooth (at least so say the Romish clergy of Ireland,) that the Bible is universally intelligible to the *unaided* intellect of the ignorant, and that the services of a regular clergy are unnecessary! Are these gentlemen ignorant, that, wherever it is practicable, instruction goes hand in hand with the communication of the Bible to the poor and the unlearned? Sometimes, according to the Christian discretion of the donor, explanatory tracts accompany the gift of the Bible; frequently, conversation in the cottages is founded upon some passage in that blessed book: universally, instruction from the pulpit is built upon it. So familiar is all this to a protestant, that he is somewhat at a loss to conceive, how either a profitable conversation, or a profitable sermon can proceed, without a perpetual reference to the Bible, as the common familiar text-book of both the instructor and the instructed.

Your worthy and evidently pious correspondent, professes himself to be well nigh unacquainted with protestants, and well nigh ignorant of their principles. Will he permit me to exemplify what I have said by the ordinary practice of the English clergymen, within the limits of whose parish I and my family happen to reside? I adduce this, not as any way peculiar to the gentleman in question, (for I believe it to be the general system of our clergy) but simply because his practice is the most familiar to myself. Now I have frequently accompanied him in visits to the sick and to the poor,

and I regularly hear two sermons from him every Sunday; hence I can speak, with a tolerable degree of certainty, as to the principle of his ordinary practice. His principle, then, I take to be this. As a common text book, the Bible is, I believe, in the hands of almost every family in the parish; and upon this holy book the rector systematically builds all his instructions, whether public or private. When explaining a passage, he exhorts his people to turn to their Bibles and read it themselves; when he propounds a Scriptural doctrine, he still refers to the same authority, with a recommendation that they should adopt the practice, so highly praised by St. Luke in the Bereans, of searching the Scriptures daily, whether those things are so. Acts xvii. 11. Thus he makes the Bible, which is in the hands of perhaps all his people, the basis of his instructions: and, as they are freely invited and admonished to read for themselves and to prove his doctrine by the test of Holy Writ, not a man in the whole parish, I verily believe, has the slightest suspicion, that the rector wishes to impose upon him the commandments of men instead of the authoritative truths of Scripture. From this sketch, which in England is a mere every-day sketch, the good and candid Inquirer will judge for himself as to the accuracy of the portrait, which he has been misled to draw of protestantism in regard to the general distribution of the authorised version of the Bible, printed (as it is always printed by the Universities and the King's printer,) without note or comment.

Before I dismiss this part of my subject, you will allow me to correct another little mistake into which the Inquirer seems to have been misled, by the declamatory and incorrect language of the Romish clergy. Their language is so constructed, as to leave an impression upon the unguarded mind, that we deem *instruction* the SOLE office of our clergy; for their argument is, that, if the common people can fully understand the Bible *without* instruction, (an absurdity never so far as I know propounded,) the protestant clergy, *ipso facto* confess themselves to be useless. Here, however, is their mistake; and into this mistake they seem evidently to have conducted the Inquirer. Many of our laity (God be praised for his diffusion of Scriptural light among us!) need not the aid of our clergy, as theological *instructors*. But what then? Are the clergy *therefore* useless to them? I blush for the logic of the Romish divines. Though many of our laity are quite as good theologians as any of our clergy, they are not insensible to the religious benefit of exhortation, consolation in trouble and sickness, pious converse in health. Is instruction, which without God's grace can convey only intellectual knowledge, the SOLE business of the clerical order? With all submission, I trow not. Nor yet is this the whole that may be said, at least by the members of the established church. We *judge not* certain of our dissenting brethren; to *their own* master they must stand or fall: but still we do not the less, on that account, adhere to *our own* principles. In

common with the Romish church, we believe that ordination, flowing in a direct line from the apostolic college, confers an authority upon the clerk, which it is presumptuous rashness for the laic to usurp. *Qualification* for office is one thing; *right to execute* office is quite another thing. It so happens, that I have read a reasonable quantity of divinity in the course of my life; and some of my friends, I believe, are kind enough to think that I am not absolutely *unqualified* for the clerical office. Yet I freely confess myself to be so far what we call *a high churchman*, that I should not think myself warranted to *execute* that very important office without due ordination conferred by the hands of the successors of the apostles. In this opinion, I am happy to say, that the rector of my parish perfectly concurs with me.

2. I feel it of so much importance to attend to every word which falls from such a correspondent as the upright and modest Inquirer, that I have been led into much greater length of discussion than I originally anticipated. Here, therefore, for the present, I shall close. Should you allow me to occupy hereafter a little more of the valuable room afforded by your strictly constitutional columns, I shall, in that case, consider the remainder of the Inquirer's letter; and I hope, through God's blessing, that I shall find it no very difficult task to answer all the other parts of it. So far as I am myself concerned, no letter from so respectable a character can ever be deemed a trespass. He professes

himself "to expect from your correspondents an unprejudiced and friendly advice, that may promote his happiness here and secure it to eternity." To the best of my power, and with hearty prayer to God for his accompanying grace, I have endeavoured to discharge this amicable function. Should what has been written or what will be written, prove beneficial either to the Inquirer or to any other serious Romanist, I shall have the best and the most enviable reward of my labour.

I have the honor to be, Sir,

&c, &c.

QUIDAM.

LETTER X.

To the Editor of the Cork Constitution.

SIR, ENGLAND, Jan. 27, 1825.

I SHALL now, with your kind permission, proceed to answer the second part of the letter, which has been addressed to you by an honest and estimable Romanist, under the title of "A Modest Inquirer."

The argument of the second part may be briefly, I apprehend, stated in manner following:

Protestants claim the right of private interpretation of Scripture. The exercise of this asserted right has split them into a great variety of sects; so that any sober person may well be in doubt,

where he can find rest for the sole of his foot among them. Hence it is far more safe to abandon the right altogether, and to abide by the decision of those different general and provincial councils that have been held in several parts of the Christian world, since the day on which the apostles assembled at Jerusalem.

This, I believe, is the sum and substance of the argument, which runs through the second part of the Inquirer's letter; and since he intimates, in a most pleasing and excellent spirit, that a "plain and reasonable answer, given to the questions involved *in it*, would go a great way to satisfy his mind, and would, perhaps, remove from the minds of others many doubts and difficulties;" it is my hearty wish and prayer, that God's blessing may attend what is at least *an attempt* to give such an answer.

1. Few points, I incline to think, have been more misunderstood and more misrepresented than that right of private interpretation, which protestants are represented as universally claiming. Possibly some light may be thrown upon the subject by the following remarks:

A divine of the Romish church boldly comes forward, with an interpretation in one hand, and with a claim of infallibility in the other. Now it is obvious, that we can build with no *exclusive* certainty upon *his* interpretation more than upon any *other* interpretation, unless he can make good his claim of infallibility. But *that* claim, so far

as I know, has never yet been made good; and though I myself have courteously invited Messrs. Curtis, Doyle, Coppinger, Nemo, and any other Romish gentleman whatsoever, to discuss the topic with me; I regret to say, that as yet my invitation has not been accepted. Hence, from the total want of evidence in regard to the claim of infallibility, the protestants, instead of *implicitly accepting*, is led to *examine* the interpretation propounded by the Romish divine. Now this very act of *examination*, into which the protestant is inevitably driven by the refusal of the Romish clergy, to SUBSTANTIATE their claim of infallibility, virtually involves the exercise of private judgment, and thence ultimately (what may in some sort be called) the exercise of private interpretation. But, in such a transaction, who is to blame? The protestant, or the Romanist? Let the Romanist PROVE the infallibility of his church, and the dispute is forthwith at an end. *That* important matter being *once* ESTABLISHED, the right of private interpretation dies a natural death; for who would be so mad as to set up private judgment against WELL ASCERTAINED INFALLIBILITY? The Romish clergy, however propound the CLAIM, without even the shadow of a PROOF; and the Inquirer cannot but have observed, how they shrink from accepting the public invitation, which, through your favour, sir, I have been enabled to give them. Now the Inquirer, I am sure, is far too reasonable and candid a man, to expect that any cautious and

accurate reasoner should bow to the infallibility of the Romish church, merely because, without a shadow of PROOF, Dr. Doyle or Dr. Coppinger may peradventure ASSERT that she *is* infallible. What then is the consequence? Clearly, the total want of PROOF on the part of the Romanist, *drives* the protestant into the exercise of private judgment. The blame, if blame there be, rests in all equity with the former, not with the latter. As a single individual, I can promise with perfect honesty, that if any Romish gentleman, clerical or laic, will satisfactorily PROVE to me the infallibility of his church, I will immediately resign the right of private judgment.

The protestant being thus absolutely driven by the Romanist to exercise the right of private judgment, it behoves him well to consider, in what manner, and under what restrictions, he is bound to exercise that right. Doubtless the right has often been abused by wrong-headed fanatics, or by philosophising semi-infidels; but the right, on *that* account, does not the less exist: and it may be doubted, if we attempt to extinguish the right on account of its abuse, whether (to accommodate the words of the British prince in Tacitus) we shall do any thing better than produce a moral solitude, under the specious name of Christian peace.

I. In the first place, then, the right of private interpretation cannot be legitimately exercised in plain defiance of common sense and of the first

principles of intelligible language. No interpreter can be allowed to say, that the precept "thou shalt do no murder" really means that "we are at liberty to murder our neighbour as often as it may suit our own convenience;" no interpreter can be allowed to say, that the apostolic declaration *Marriage* IS HONOURABLE IN ALL truly means, that *Marriage* IS SCANDALOUS IN SOME: no interpreter can be allowed to pronounce, that the apostolic decision *Christ was* ONCE *offered* really imports, that *Christ has been and continues to be* MANY TIMES *offered.* Common sense revolts at such supposed absurdities of exposition: we instinctively feel, that they *cannot* be admitted save with a virtual confession that the plainest language is inherently unintelligible. Let this rule be adopted: and the Inquirer will find, that by far the greatest part of Scripture warrants not any legitimate difference of interpretation, For the fantastic vagaries of madmen, protestant churches can be no more answerable than the church of Rome. Such expositors, by common consent, are more fit for bedlam than for the divinity school; and the Inquirer candidly allows, that it is most illogical and absurd to argue against the use of a good thing, merely because it may be abused by impudent or evil-minded persons. The mad-woman Johanna Southcote, and her frantic followers, expected from her womb the birth of the promised Shiloh; but a liberal Romanist would no more think of objecting this folly to

protestantism, than a liberal protestant would think of objecting to Romanism the recent shocking slaughter of a child, by a deranged priest, who acted under the insane delusion that he was ejecting a devil.

2. In the second place, the right of private interpretation must be exercised in subservience to well known and reasonable principles of criticism. Because it is said, that God is a sun and a shield, no legitimate right can exist of maintaining, that the literal sun in the firmament is the God of Christianity, and that he ought to be worshipped under the symbol of a warrior's buckler.

3. In the third place, the right of private interpretation must be checked and moderated by the strong adamantine necessity of outward historical evidence. No modern private interpretation can legitimately stand good, against the ancient well ascertained interpretation of the primitive church nearest to the times of the apostles. The reason is obvious and intelligible to the meanest capacity. To the scholars of the apostles must best have been known the mind of their inspired preceptors; and it is morally impossible, that doctrinal corruption and error in any grand essential point, could have been universally introduced into the early church of the first and best ages.

Now, when the right of private interpretation is exercised under these and other similar restrictions, I greatly doubt, whether any very serious

mischief can result from it. Every sober protestant would wish to have it thus restricted; and when in *some* instances I scruple not to deny the legitimate exercise of it to the uneducated, I merely deny it in the same sense that I deny the legitimate prescription of medicine to an ignorant empiric. If the peasant cannot qualify himself by study to be a competent judge, he must inevitably, in various points, be content to depend upon the honest decision of his pastor. But, in saying this, which in truth is no more than the determination of plain common sense, I give no countenance to the dogmatism of the Romish church. The right of the peasant is not annihilated: it is merely in abeyance from the very necessity of his situation. If *qualified* to exercise the right, he might then *legitimately* exercise it; and, from what I know of the protestant clergy of the established church, they would abhor the very idea of withholding the right from any competently educated layman, who would honestly exercise it according to the above specified reasonable restrictions. The right, in short, is *relative*, not *absolute*: and any claim of an *absolute* right, would be reprobated as a gross abuse by every sober-minded protestant of whatever communion.

II. The exercise, however, of this asserted right, has split protestants into a great variety of sects: so that, in the judgment of the Inquirer, any conscientious person may well be in doubt, where he can find rest for the sole of his foot among them.

1. I regret these divisions very sincerely: but, as the human mind is constituted, and as an important matter of fact actually stands, I do not see how it can be otherwise. Doubtless the iron hand of a spiritual despotism may level all to at least the *outward* appearance of unanimity: but even then, the more active mind of the educated *will* be *internally* working and investigating. Hence, what do we gain by such an unanimity as that, which the church of Rome has ever laboured to effect, not by argument, but by persecution? In the very nature of things, gibbets and racks, and flames and banishments, and confiscations, cannot convince the understanding, or effect a change in the belief. When employed for the purpose of producing uniformity, they can answer no end, save to make men either martyrs or hypocrites. The horrible wickedness of such expedients, is only exceeded by their gross and palpable folly. To please God, men must be *honest* in their religious profession. How then can he view with pleasure the forced uniformity of a church, which, by the very process of effecting such uniformity, must needs be full of conforming hypocrites and concealed infidels. Painful as the divisions among protestants may be, I cannot hesitate to say, that I deem them a smaller [redacted] critical uniformity of outward faith, produced by the grinding instrumentality of persecution.

2. So much for the physical constitution of the human mind, which, *secretly* at least, neither racks

nor flames can prevent from working: the important *matter of fact* to which I alluded is, "the total failure of any proof of infallibility as inherent in the church of Rome. I grant, that, if the infallibility of that church were once established by incontrovertible evidence, uniformity among all rational minds would follow simply as a matter of course. But here is the very difficulty. *Unless* the Inquirer can establish the infallibility of his church, it is obvious that, "independently of argument and sound criticism, and primitive historical testimony," he can have no greater certainty *that he is in the right, than any protestant of any* denomination whatsoever. He asks, in case he were a protestant, what reason could he have to prefer *one* communion rather than *another?* I ask in reply, what reason has he to prefer the communion of the "Romish church" to any "protestant communion?" The church of Rome is only *one* of the *many* sects into which Christians are divided: and, just as the Inquirer asks, why he should prefer one *protestant* communion to another in case he left the church of Rome; so might an unbeliever ask, why he should prefer one *Christian* communion to another in case he received *the faith of the Gospel. Unless she can prove her* infallibility, (a point which is [redacted] nucleus of the debate between papists and protestants) the church of Rome, as the Inquirer must clearly perceive, stands upon no higher ground *abstractedly* than any *other* Christian sect shorn of

her infallibility; she is but one sect among many. Her pretensions, like the pretensions of any *other* sect, must be brought to the test of examination, for it is clear, that nothing can legitimately exempt her from the common scrutiny, save a full establishment of her claim to infallibility. By an unconscious fallacy for which I can make every allowance, the Inquirer places the numerous communions of protestantism, in contradistinction to the unity of the Romish church; as if the former jointly occupied one scale, while the latter enjoyed the other possession of the exclusive scale. Now this implied arrangement would be perfectly warrantable, if the infallibility of the Romish church had been demonstrated: but, without such demonstration, it is a manifest fallacy. To the theological Inquirer, who has his choice to make, ALL those various communions, into which the one catholic church of Christ is divided, being alike fallible, stand abstractedly upon the very same footing, and must be placed together in the very same group. If the pretensions of one must submit to an examination, to the same trial must the pretensions of every other be subjected. The Inquirer will ask me, why I am an episcopalian of the established church, rather than a methodist, or a presbyterian, or an independent, or an anabaptist? In return, I would ask him, why he is a member of the Romish church, rather than of the Greek church, or the Syrian church, or the reformed English church? Does he reply, because he is

satisfied that his own communion is best? Such is the identical reply which I also give. Does he ask me, how I know that my communion is the best? In reply, I ask him, how he knows that his communion ought to be preferred? Does he finally tell me (for this will always be the *finis chartæque viæque,*) that his communion MUST be in the right, because the church of Rome is infallible? My simple and obvious answer is, PROVE the infallibility of your church, and the dispute between us is at an end.

3. After all, I more than suspect, that your estimable correspondent has been greatly misled in regard to protestant differences, by the childish declamation of the Romish clergy. One might imagine from the exaggerating language, in which those gentlemen are wont to indulge themselves, that protestantism was one huge Babel, and that protestants had no common points of agreement: but this is a great misrepresentation; and the Inquirer evidently writes under its full influence, with the sole exception of the Socinian heresy (for Arianism, I believe, is well nigh extinct,) the several communions of protestants, unless I greatly mistake, fully agree in the grand leading points of our common Christianity: they differ only in those points of minor importance, which none, save bigots, will deem essential to salvation. I am myself, from rational inquiry and full conviction, warmly, but (I trust) not uncharitably, attached to the church of England; yet, when accidentally

in Scotland, I have found no sort of difficulty in walking very amicably to the Kirk with the wife of a respectable minister; and I have been much edified within its walls by an excellent sermon, albeit the officiating divine eschewed the surplice, and deemed the heavenly tones of the organ a Babylonish abomination. Nevertheless, if my lot had been cast in "the gude town," though I fully believe salvation to be in the Kirk, I should in that case, have assuredly joined myself to the venerable protestant episcopal church of Scotland. The Inquirer speaks of the differences among protestants. Is he ignorant of the differences which have subsisted between members of his own church? Suppose I was to become a Romanist, would he advise me to adhere to the opinions of the Jesuits, or would he recommend in preference the speculations of the Jansenists? Other discrepances might easily be mentioned were it necessary, but this may suffice. I fear, that even in the church of Rome, I should still have to make choice of opinions.

4. But why, asks the Inquirer, on protestant principles, should we deem a Socinian a heretic? Why, if we forsake the church of Rome, should we not embrace Socinianism, as well as any other system of opinions?

I will tell him the reason why, Socinianism was not the doctrine of the primitive church; which, from the very necessity of things, must have infallibly known the mind of the inspired apostles: and, accordingly, the very text, which is so lamentably

perverted from its plain and natural sense by the modern Humanitarian, was understood in the primitive church precisely as it is understood at the present day, by every Trinitarian of every denomination. This I can assert from my own personal knowledge: because I happen of late to have been examining that identical subject.

I regret, sir, what your transatlantic brethren would call my *lengthiness*; but, if you will indulge me with room for one more letter, I hope that within its limits I may comprehend the remainder of my answer to your worthy correspondent.

QUIDAM

LETTER XI.

To the Editor of the Cork Constitution.

SIR, ENGLAND, Jan. 28, 1825.

I RESUME my pen, in hopes that the present letter will comprehend the whole remainder of my answer to your good correspondent, "A Modest Inquirer."

1. Alarmed at the supposed mischievous consequences which result from the *right of* private interpretation *of Scripture*, the Inquirer deems it far more safe to abandon the right altogether, and to abide by the decision of those different general and provincial councils that have been held in several parts of the Christian world, since the day on which the apostles assembled at Jerusalem.

I. If the Inquirer abandons the right altogether, and if, at the same time, he is unable to prove the infallibility of his church, it is clear, that he implicitly resigns himself to the dictation of a mere fallible body of men, who may very possibly be quite right in their decisions, or who may very possibly be quite wrong.

I mean no incivility to your worthy correspondent; very far am I from harbouring any such intention: but I must be allowed to doubt the wisdom of acting upon such a system. If indeed the infallibility of the Romish church had been proved, nothing could be more wise and more rational, than the system recommended by the inquirer: and I should deem myself little short of absolute insanity, if I did not forthwith sue for admittance into the Latin communion. But here is the very knot, which requires some divinity for its solution. The infallibility of the Romish church never has been proved, and (I greatly fear) never will be proved. Hence the determination of the Inquirer is, in fact, a determination to submit himself implicitly to a body of mere fallible men, without daring to ask a single question, whether they propound truth or falsehood: to submit himself moreover, not simply in a trifle, wherein error might be a matter of small moment, but in points which may involve his eternal weal or his eternal woe. Now, of this system of action, I hope I may venture to say, without the imputation of rudeness, that I greatly doubt its wisdom.

Let the Inquirer ask his priest, why he ought to believe such or such a doctrine held by the Romanist, rejected by the protestant: the priest, I suppose, will reply; "because it is a doctrine of the only true church." But how do I thence know either that the church of Rome is the only true church, or that the doctrine in question is true? The priest replies; "Because the church of Rome is INFALLIBLE, whence it follows, that private judgment cannot be legitimately admitted against an infallible decision." But how do I know that the church of Rome is infallible? The conclusion is perfectly just, provided the premises be sound—but here lies the difficulty. PROVE to me the infallibility of the Romish church, and all the rest follows of course.

What proof the priest will vouchsafe to the Inquirer I shall not pretend to guess; but it is quite obvious, that until the PROOF be exhibited in a perfectly unquestionable form, the argument is altogether unable to proceed.

2. The Inquirer, however, omitting the point of INFALLIBILITY, contents himself with urging, that general councils are less likely to be mistaken than private individuals; whence it is the part of wisdom to submit private interpretation to the public determination of those collective bodies.

I greatly incline to think, that the abstract truth or error of this conclusion, depends wholly upon circumstances. To a council of the first or second century I should be strongly tempted to

bow with implicit submission; because, from their peculiar chronological advantages, it were well nigh impossible, that in any vital point the members of such a council could be mistaken. But the case is widely altered in much later councils; and I must own, I should not be induced to build very firmly upon the mere dogmatical decisions of a comparatively modern assembly, collected together to ratify the speculations of some theologizing emperor, or to promote the views of some arbitrary pontiff. Under such circumstances, I should ask for Scriptural authority, sound argument, and primitive antiquity. If these were refused to me, and if I were told that I must believe so and so, simply BECAUSE I must believe so and so; I should feel as a reasonable being, that a belief, thus demanded, was in its very nature an impossibility. If the fathers of such a council had reasons for their decisions; let their reasons be produced: if they had no reasons, but determined merely according to their own caprice, it may be doubted whether their decisions possess much authority. Five hundred interested and ignorant men, if any councils were so constituted, sum them up as we will by any known arithmetical process, would still give nothing more than a cypher as the result. A single, honest, and learned, and intelligent unit, would be of more numerical value than them all.

Thus far I have spoken of councils abstractedly: but how will the Inquirer manage matters, if I treat of them in the concrete? He judges it more

safe to depend upon the wisdom, and learning, and experience, and sincerity of the great and holy men, who, as Catholics are taught to believe, composed the different general and provincial councils; than on the solitary, unaided, and uninspired judgment of any individual, no matter how deeply read, or how highly gifted. Your estimable correspondent speaks, I doubt not, as he has been taught to believe: but, unfortunately, no more than half the truth (if indeed we may venture to say half) has been communicated to him by his teacher. *Who shall decide, says the poet,* "when doctors disagree?" *Councils, both general and* provincial, have come to decisions directly opposite to each other. In this case, how does the Inquirer propose to act? Will he symbolize with the council, which anathematized image-worship: or will he adhere to the council, which ratified it? That each decision should be the truth, is physically impossible: and, how to determine the matter between the two jarring councils, I see not, save by the use of that identical private judgment, which is the very bug-bear of every devout Romanist.

On the whole, whatever antecedent probabilities there may be, that the judgment of a council is better than the judgment of an individual, I fear, when we descend to naked facts, that a council is not always the safest *ductor dubitantium.*

II. As the Inquirer seems to entertain a special dread of private judgment, which, like every other

good thing, may doubtless be abused; I shall conclude with a practical sketch of what I deem its legitimate use.

1. It is confessed by all parties, that we at the present day possess no authentic revelation of God's Will, save that which is contained in the Scriptures of the Old and New Testament. This being the case, it follows, so far as I can see, in the way of an inevitable result, that, if any thing be authoritatively taught which is incapable of proof from the Bible, the teachers of it, as our Lord speak, teach for doctrines, the commandments of men.—*Matt.* xv. 9.

Should the Inquirer object to the present statement, I shall be most happy to attend to his objections. According to my own apprehension, I perceive not how any other conclusion can possibly be drawn from the premises. If the Bible be the SOLE revelation of God's Will which we now possess, whatever doctrine is *not* contained in the Bible must certainly be a commandment of men. By this rule then, which I must deem valid until I shall see it confuted, let us try certain of the doctrines which are authoritatively taught in the church of Rome.

(1.) The duty of a certain invocation of dead saints, either before or not before the images or pictures of such dead saints, and more especially the invocation of the Virgin Mary, is taught by the Romish clergy, and practised by the Romish laity. I do not think it any way necessary at

present to inquire into the special nature of this invocation: it is sufficient for my purpose, that an invocation of some sort is enjoined and practised in the church of Rome. Now for this invocation there is not the shadow of a warrant in the Bible. Therefor the invocation of dead saints is a mere unscriptural commandment of men.

(2.) A belief in purgatory is taught by the church of Rome. This notion runs directly counter to the whole analogy of the Gospel, in which we are taught that our sins are expiated SOLELY by the sacrifice of Christ. Accordingly, as we might well anticipate from the very necessity of the case, not a vestige of the doctrine of purgatory can be found in the Bible. Therefore this doctrine is an unscriptural commandment of men.

(3.) The laic reception of the Eucharist in only one element, is enjoined by the church of Rome. No such doctrine can be found in the Bible. Therefore such reception of the Eucharist is an unscriptural commandment of men.

(4.) The doctrine, that Christ's body is offered by the priest in every celebration of the Eucharist, is taught by the church of Rome. But this doctrine is not only not contained in Scripture, but is even expressly contradicted by Scripture; for we are assured more than a single time, that Christ was only ONCE offered to bear the sins of many. Therefore such doctrine is an unscriptural commandment of men.

(5.) The doctrine of the celibacy of the clergy is enforced by the church of Rome. But this doctrine, like the last, is not only contained in Scripture, but expressly contradicted by Scripture. Therefore such doctrine is an unscriptural commandment of men.

(6.) The doctrine of prayers for the dead is taught by the church of Rome, but this doctrine appears not in Scripture. Therefore it is an unscriptural commandment of men.

(7.) The doctrine of meritorious pilgrimages to fancied holy places is taught by the church of Rome. This doctrine not only does not appear in Scripture, but is virtually condemned in Scripture.—See *John* iv. 19, 24. Therefore it is an unscriptural commandment of men.

(8.) The supremacy of the pope is taught by the church of Rome. But the Bible says not a syllable on the subject. Therefore that doctrine is an unscriptural commandment of men.

(9.) The infallibility of the Roman church, wherever may be its precise residence, is taught by the Romish clergy, and believed by the Romish laity. But not even a shadow of this *ignis fatuus* can be discovered in the Bible. Therefore such doctrine is an unscriptural commandment of men.

I might easily extend this catalogue of Romish unscriptural novelties to a much greater length; but what I have said is quite sufficient, in the way of exemplifying what I conceive to be the legitimate exercise of private judgment. Nothing surely is

more self-evident, than that all the decrees of all the councils in the world, backed by the sanction of all the popes who ever sat in the see of Rome, can never make a doctrine scriptural, which is not contained in Scripture. By the very terms of the proposition, every such doctrine is a mere unauthorised commandment of men.

From this statement, the Inquirer will further perceive the true reason, why the Romish priests are so unwilling to entrust the Bible to the laity, and why at present they are exciting such a lamentable clamour against the circulation of the Holy Volume. They know that popery and the Bible cannot stand together. On the other hand, the Inquirer will also perceive the reason, why the clergy of the established church are so desirous that the Bible should be in the hands of all the people. They know that the church of England and Ireland is founded upon the Bible, and consequently they know that the Bible must be inherently friendly to that church. The Romish clergy dread the Bible to such a degree, that one of them (the well known J. K. L.) has actually be-praised a poor ignorant Irish labourer, because he sacrilegiously took up the Sacred Book with the kitchen tongs and buried it in the garden. The protestant clergy, whether churchmen or dissenters, love the Bible instead of fearing it, and dread not its most extensive diffusion. To a truly honest mind like that of the Inquirer, these few simple facts will speak volumes.

2. The first business then of private judgment, when legitimately exercised, is to reject all those multifarious commandments of men, which are either not contained in Scripture, or (what is still worse) which are directly contradicted by Scripture. Hitherto, every thing is perfectly easy and simple; the next business, that of interpreting texts which undoubtedly form a portion of the Bible, and which are the basis upon which various doctrines are supported, is, I readily confess, much more difficult, and requires no small measure of cautious discretion. As a general principle, whenever it can be brought into action, I am acquainted with none more rationally satisfactory than the following.

Those, who lived nearest to the apostles, must have best known the mind of the apostles. If then a Romanist and a Protestant differ as to the meaning of a text which is the basis of any particular doctrine, let the point in dispute, whenever such an arrangement is practicable, be referred to the decision of the primitive church.

This rule is obviously built upon the admirable canon of Tertullian: *Id esse verum quodcunque primum; id esse adulterum quodcunque posterius,* Tertull. adv. Prax. p. 405. "Whatever is true, is first; whatever is later is spurious." If the Inquirer can make any reasonable objection to the rule, I shall be happy to stand corrected.

It would occupy far too much room, were I to enter into a full discussion of doctrines on this principle: I shall content myself therefore, as a

specimen of the mode in which I conceive private judgment may be legitimately exercised, with bringing to the proposed test the Romish doctrine of transubstantiation.

The words of our Lord, *this bread is my body*, and *this wine is my blood*, are confessedly CAPABLE of two different interpretations. Now the Romanist contends for their *literal* intepretation: while the protestant maintains, that their *figurative* interpretation best accords both with apparent matter of fact, and with the general *rationale* of the tropical language of Scripture. Thus stands the difference between the two parties. Let it be referred to the unexceptionable decision of the primitive church.

(1.) The Romanist, on turning to the early fathers, adduces with much facility many places, which speak of the consecrated bread and wine being the body and blood of Christ: and hence I have seen instances wherein he rapidly passes to the conclusion, that the modern doctrine of transubstantiation was the doctrine of the primitive church.

I fear, however, that it is what a barrister would call very loose law. Passages of such a description I have carefully examined: but they seem to me to leave the question just where they found it. Our Lord declares, that the *bread is his body*, and that the *wine is his blood*: the early fathers, with good reason, say the same; and the protestant church of England still holds the very same lan-

guage in effect, when she teaches that the body and blood of Christ are verily and indeed taken and received by the faithful in the Lord's Supper. But, in all these cases, the question still remains as to the sense in which the several declarations are made: and to adduce the early fathers as simply making the identical assertion which Christ himself made, is clearly incapable *per se* of establishing *the sense* wherein Christ made the assertion. The sort of proof which the Romanists bring forward to prove the transubstantialism of the primitive church, will equally prove to future generations the transubstantialism of the reformed English church.

2. To determine, then, the doctrine of the primitive church, we must have something much more definite and explicit than the quotations usually brought forward by the Romish clergy; and, fortunately, the precise matter, which we want, is furnished by Clement of Alexandria, who flourished at the end of the second century. This learned father, in prosecuting his argument against the Encratites who renounce the use of wine, presents us with the following remarkable passage.

"Be well assured, that Christ also himself partook of wine, for he was also a man. Moreover, likewise, he blessed the wine, saying: Take, drink, this is my blood, the blood of the vine. The holy liquor of exhilaration allegorizes the Word, who poured himself out for many for the remission of sins." *Clem. Alex. Pædag.* lib. ii. c. 2. p. 158, *A Sylburg. Colon.* 1688.

Some would translate the last clause of this passage (the clause upon which I build my proof) in manner following: He (namely Christ) allegorically calls the holy liquor of exhilaration, the Word, who poured himself out for many for the remission of sins. The original Greek will bear either translation; but, according to each rendering, the sense is still precisely the same. In the judgment of Clement, the language of our Lord was to be understood, not *literally but allegorically*. Just as St. Paul declared himself to speak allegorically, when he said that, "This Agar is Mount Sinai in Arabia, (*Gal. iv. 24, 25;*) so Clement maintains, that our Lord spake allegorically, when he called the holy or consecrated wine by the appellation of his blood.

The testimony afforded by Clement, in this perfectly unambiguous passage, strikes me to be as complete as can be desired. He evidently is advancing no new private opinion of his own: but he is speaking the familiar doctrine of the catholic church, at the time when he himself flourished.—Accordingly, though his doctrine would be deemed heretical by the modern church of Rome, there is, no vestige, so far as I know, of any censure being passed upon him by the catholic church of his own days. But Clement lived at the end of the second century. Therefore, the doctrine of Transubstantiation was not the doctrine of the catholic church, during the two first centuries. Hence, it ought, indisputably to be rejected, as a mere authorised

novelty. At what precise time it was excogitated, is a matter of little consequence to the argument. The express and unambiguous testimony of Clement demonstrates it to be later than the year 200: for the church of the two first ages held, that, when our Lord called the consecrated elements *his body and blood*, he spake, not LITERALLY as the Romanists pretend, but ALLEGORICALLY as we protestants maintain. Such being the case, the doctrine of Transubstantiation is a convicted novelty, and a manifest departure from the sound doctrine of the primitive church: and, on these grounds, as we do not happen to have ever seen the infallibility of the Romish church demonstrated, we deem it more prudent to abide by the *old* doctrine of the two first centuries as unequivocally stated by Clement, than to adopt the *new* doctrine, which is recommended to us by the popish clergy.

3. The Inquirer will, I hope, now perceive, that the right of private interpretation, as claimed and exercised by any sober protestant, is no such wild and arbitrary matter, as the Romish priests, for reasons best known to themselves, are fond of representing it. In truth, so far from being any thing vague and capricious (as the Inquirer, misled by his teachers, evidently imagined it to be,) it is strictly limited and tied down by certain very intelligible and well defined canons. It might argue a degree of very improper vanity, were I to exhibit myself as the accredited organ of the protestant churches; yet I think I may venture

to say, that *no* sober-minded protestant claims an *arbitrary* right of private interpretation, unshackled by some such restrictions as those which I have specified.

(1.) But, remarks the Inquirer, Roman catholics are of opinion, that it is unnecessary to say a word of the frightful and horror-striking evils, that have followed from the private interpretation of Scripture.

I doubt the accuracy of this language. If I mistake not, the Inquirer ought to have said, not *from the private interpretation of Scripture*, but *from* THE ABUSE *of the private interpretation of Scripture*. As for any frightful and horror-striking evils following from THE LEGITIMATE EXERCISE of private judgment, I confess myself unable to apprehend the necessity of any such direful consequences.

(2.) But the Romanist will argue, very bad consequences have, in point of fact, ensued from the private interpretation of Scripture: therefore the right of private interpretation ought to be abandoned.

I will answer him in the words of the Inquirer. *It is illogical and absurd to argue against* THE USE *of a good thing, merely because it may be* ABUSED *by impudent or evil minded persons.* The blessed light of the sun may be abused to purposes of murder, and rapine, and oppression: but it were singular reasoning, if we were thence to argue the utility of blotting the sun out of the firmament.

I freely allow, as fully as the Inquirer can wish me to allow, that evils have sprung from an illegitimate exercise of the right of private interpretation: but what then? Is the right to be abandoned by the sober-minded investigator, because it has been abused by the wrong-headed fanatic, or the antiquity-contemning Socinian? I feel assured, that the innate manly honesty of the Inquirer, will never think of placing the wild reveries of Johanna Southcote, or the purely arbitrary licentiousness of Mr. Belsham, on the same footing with the systematic and restricted examination of doctrines which I have now laid before him. Let Mrs. Southcote's speculation relative to the Shiloh, or Mr. Belsham's perversion of those numerous texts which oppose themselves to his darling theory, be brought to the canon which I have propounded for the legitimate exercise of private judgment: and let us see, whether they be able to stand the test. As for the maniac, she may be fairly dismissed by a summary process: and, as for Mr. Belsham's arbitrary perversions, I can take upon myself to assert from my own personal examination, that none of the texts, which he has so lamentably twisted from their plain and natural import, were understood in the primitive church, as they are understood by the doctors of the modern Socinian school. Hence I can have no scruple in saying, that both Mrs. Southcote and Mr. Belsham have exercised the right of private interpretation illegitimately; in other words, they have exercised it

ARBITRARILY, and without its being tied down and restricted by certain intelligible and well defined rules. But are we thence to argue, that it is illegitimate to reject the invocation of saints, because no such doctrine can be found in Scripture; or that it is illegitimate to reject the doctrine of Transubstantiation, notwithstanding we have proof positive that it is a novelty at all events more modern than the year 200? I incline most decidedly to answer in the negative. I have shown from the unambiguous testimony of Clement, how the church of the two first centuries understood the words of eucharistic consecration as uttered by our Lord. Let Mr. Belsham show from similar testimony, that the primitive church understood the texts, litigated between the Trinitarian and the Antitrinitarian, in the Socinian sense which he would impose upon them; and I will then freely allow, that he has exercised the right of private interpretation legitimately.

In reality, this identical right, so violently maligned for obvious reasons by the Romish priesthood, and so dreaded (purely in consequence of their misrepresentations) by the Romish laity, is expressly recognised IN ITS USE, though of course not IN ITS ABUSE, by the inspired writers themselves. PROVE *all things*, says St. Paul: *hold fast that which is good.*—1 *Thess.* v. 21. Thus speaks the apostle; and now let me ask the Inquirer, whether he can frame any distinct idea of proving all things, and thence of retaining the good and

rejecting the bad; in other words, whether he can frame to himself any distinct idea of exercising the faculty of discrimination, if he adopt and act upon the popish principle, that the right of private judgment is to be altogether abandoned?

(3.) But the Romanist, as his sentiments are developed by the Inquirer, thinks, that the common people may be made sufficiently acquainted with the Sacred Volume, without leaving the unlearned and unstable to the danger of wresting many of its passages to their own destruction.

That the Romish clergy are diligent in inculcating this very commodious principle, I make no doubt: but, in their systematic attempt to withhold the Bible from the people, I fear they are wise, not only above what is written, but contrary to what is written. Let God be true, and every man a liar! If every Israelite was specially commanded by Jehovah himself, to study the law and become thoroughly acquainted with it (*Deut.* vi. 1—9, xxxi. 9—13); shall a little popish priest step forward and tell me, that in *his* judgment (the little popish priest's to wit) it is far wiser and better to withhold the Hebrew Scriptures from Christian people? If St. Paul addressed his epistles, those identical documents, which contain the matters capable of being wrested by the unlearned and unstable to their own destruction (*2 Peter*, iii. 15, 16): if he, the inspired apostle, addressed these letters, not merely to the clergy of each particular church, but to ALL the members of such churches;

shall it be endured, that the Romish clergy shall deny to Christian people of the nineteenth century, what the less wise though heaven-taught apostle freely committed to ALL Christian people of the first century? The apostolic college, we may venture to presume, knew quite as well as the Romish priesthood, that the reading of Scripture might be ABUSED: but we find not, on that account, any precept, that the USE of Scripture in its very largest extent, should be denied to the very poorest believer.

Should any thing which I have said be unsatisfactory to the Inquirer, I shall be most happy, with your permission, to attend to any further communications from him. Meanwhile, with many thanks for the insertion of my papers.

I have the honour to be,
Your obedient, humble Servant,
QUIDAM.

LETTER XII.

To the Editor of the Cork Constitution.

SIR, ENGLAND, March 7, 1825.

BY the date of a letter from your valuable correspondent, "*A Modest Inquirer*," which appeared in the Cork Constitution of Feb. 25, I perceive, that it must have been written before he read any one of the three letters, which I have had the honour of addressing to you, relative to his *original* communication. These, to a certain extent, may

be deemed an answer by anticipation to the particulars contained in his *last* letter. But, as nothing which falls from the Inquirer can be thought unworthy of notice, I beg to transmit the following reply to his letter, which appeared in the Constitution of Feb. 25, 1825.

I. The Inquirer expresses his dissatisfaction in regard to *the much litigated question of indiscriminate Bible reading, without note or comment.*

To this I have already replied, that, *although our Bibles are printed without note or comment, and although our societies furnish them precisely as they are printed by the Universities and the King's printer; no person who distributes such Bibles, is withheld from giving along with them whatever tract, or note, or comment, he may think fit.* What we object to the Romanists is, not the giving *their own* explanatory compositions along with the Bible; but their withholding the Bible *altogether* from the great bulk of the laity. If they would only let the laity have free access to the Bible, we should not be so unreasonable as to object to any accompaniments, which they may please to give with it: for, in truth, though our Bibles are simply printed without note or comment, we ourselves give along with them whatever documents we think expedient; and we should not complain of any *Romanist* doing the identical thing, which is done by *ourselves.* Our complaint is, I repeat it, *the absolute withholding of the Bible from the great mass of the people, on the idle pretence of an anxiety*

for their souls' health. Now such a practice strikes us as displaying a wisdom, not merely *above* what is written, but *against* what is written. The law of Moses contained in the Pentateuch, instead of being *withheld* from the people, was ordained by God himself, both to be *unreservedly communicated* to them, and to be *diligently and unremittingly studied* by them.—*Deut.* vi. 6–9, xxxi. 9–13.—*Josh. i. 7, 8.* Now, if God himself commanded the Hebrew Scriptures to be thus fully communicated to *all* the ancient Israelites, is the Inquirer prepared to vindicate the conduct of his church, when, with a high hand, she dares to withhold them from the Christian laity of more modern times? The same remark substantially applies to the books of the New Testament. With respect to the four Gospels, their very tenor shows that they were meant for *universal* reading: and, as such a declaration is repeatedly made concerning the much more difficult apostolic epistles, it will follow *a fortiori*, that, since the Epistles are to be *universally* read, the Gospels were written with the same assured intention. Let the Inquirer turn to the various introductions of the several apostolic Epistles: and he will immediately perceive the truth of what I say. The Epistle to the Romans is addressed to "ALL that be in Rome, beloved of God, called to be saints." —*Rom.* i. 7. The first Epistle to the Corinthians is addressed even yet more extensively: for it purports to speak, not only "to the church of God which is at Corinth," but likewise to "ALL that in

EVERY place call upon the name of Jesus Christ."—1 *Cor.* i. 2. Exactly the same remark applies to the other Epistles, as the Inquirer may readily convince himself by occular inspection: and even of that most difficult book in the whole Christian canon, the Apocalypse of St. John, it is said; "Blessed is he that readeth, and they that hear, the words of this prophecy."—*Rev.* i. 3. If such then be the decision of the inspired writers themselves, can the Inquirer praise the conduct of the pope and his priesthood, who act in avowed and determined opposition to the very dictates of the *Holy Ghost? From this dreadful impiety*, I feel assured, that he will recoil with horror. Yet, if he advocate the presumptuous withholding of the Bible from Christian people at large, can he escape the guilt of that identical impiety? In the church of the earlier and better ages, I need scarcely say, that this monstrous sacerdotal audacity was unknown. The people, instead of being *prohibited*, were then *exhorted* to read the Scriptures: but this strange innovation upon primitive antiquity was reserved for a church, which, by her very deeds, confutes her own fond claim to immutability. If my memory fail me not (but I speak under correction, from memory alone), the *Romish* church first dared to prohibit the reading of Scripture by the laity, in consequence of the disagreeable truths which were told her from Scripture by the Waldenses and the Albigenses in the thirteenth century. The pretence was, as at present, that

the reading of the Bible led to heresy: the truth, I fear, was, that *the Bible was irreconcilable with popery.* Yet, even if the two ancient persecuted churches *had* been heretical, still I find not by what authority the Roman pontiff and his priesthood dared to withhold the Bible from the laity. There were heresies, as we all know, during the first ages: but, by the more scriptural clergy of that period, such a circumstance was never thought to be any just reason, why the laity should be forbidden to read the Bible. This presumptuous innovation, which alike defies the behests of inspiration and the practice of primitive antiquity, was reserved for the Latin church of the thirteenth century. The Bible was at length interdicted and is still interdicted, simply, because it was found to be irreconcilable with popery. Let only the laity have the free use of the Bible; and the Romanists have my full consent to give what accompaniments with it they most affect. The people will then be able to judge for themselves, how far Scripture agrees with the comments and practices of the Latin priesthood. But the withholding of the Bible will always engender a shrewd suspicion, that the withholder is hostile to the Bible, only because the Bible is hostile to the withholder.

II. I have repeatedly said, that, if the infallibility of the Latin church can be once established, the dispute between papists and protestants is at an end: and, on this account, I have often expressed a wish that Dr. Curtis, or Dr. Doyle, or Dr. Coppinger, or

any other Romish gentleman, would amicably discuss the question with me. Hence, I rejoice, that the Modest Inquirer, with that excellent temper which characterizes all that he has written, should have touched upon this identical delicate topic.

1. The first argument which he brings in favour of the claim preferred by his church is, from the words of our Lord, addressed to the apostles, in *Matt.* xxviii. 20:—"Lo, I am with you alway, even unto the end of the world."

That this promise, agreeably to its obvious tenor, extends beyond the apostolic age even to the final *consummation, I am perfectly willing to allow:* but I am unable to discern in it any promise of infallibility, or of complete exemption from error to any particular national church whatsoever. That *some* national churches, even in the time of the apostles, were liable to fall into doctrinal error, is certain from what Christ himself says to the primitive churches of Pergamos and Thyatira.—*Rev.* ii. 14, 15, 20–24. Hence, it is clear, that the promise cannot be an *absolute* promise of infallibility to the *entire* catholic church: and, by what intelligible process *the Roman church* can claim a privilege, *which evidently* was not possessed by the churches of Pergamos *and Thyatira, I despair of* ever receiving any satisfactory information.

What then, it may be asked, is the meaning of the promise made by our Lord to the apostles and to his church: a promise, which, I am free to confess, extends even to the end of the world?

(1.) In the first place, the promise is doubtless a promise of perpetuity to his church. The gates of Hades should never prevail against it: or in plain unfigured language, it should never be consigned to oblivious extinction. By the good providence of God, in despite of the opposition both of men and of devils, it should be preserved, in this country, or in that country, to the final consummation of all things.

(2.) But, in the second place, I certainly think that the promise may be fairly construed to mean more than a simple promise of perpetuity to the church: it further implies, if I mistake not, a prophetic intimation, that the grand essential doctrines of Christianity, those doctrines without which a church would be no church, should never become extinct among the professed disciples of Christ. Such an intimation is, I think, implied in the promise: but, how this intimation promises either perfect freedom from all error to any church during the whole period of its existence, or an exemption from even damnable error to any one church in particular, I must confess myself unable to discern. The utmost that it can be fairly construed to set forth, when checked by the indisputable facts of the lapses of Pergamos and Thyatira, is this: that, *in one particular church or other, the grand essentials of Christianity should never become totally extinct.* This church or that church might have its candlestick removed: but Christianity itself, as a doctrinal system, should

never be blotted out. If the Inquirer can legitimately bring more out of this promise than I have done, I shall be most happy to attend to him; for I am sure, that *he* will adduce none save truly *honest* and *fair* arguments.

2. His next argument, in favour of the infallibility of his church, is built upon *John* xiv. 16. "*I will* pray the Father; and he shall give you another Comforter, that he may abide with you for ever." And with this text he associates those in the same discourse, which promise to the apostles that "the Spirit of truth will guide them into all truth."—*See John xiv. 26.—xvi. 13.* Hence, he infers, that, a promise of guidance into all truth, being associated with a promise of perpetual abidance on the part of the Holy Spirit, the promise of guidance into all truth cannot be confined to the apostles, but must be extended to the very end of the world: a result which is obviously equivalent to a grant of perpetual infallibility.

(1.) I am not quite certain, that even if the Inquirer's premises had been accurately stated, his conclusion would have been altogether legitimate. He builds entirely upon the expression FOR EVER; as *if it* denoted, of necessity, *continuance to the final consummation of all things.* But this is a fallacy. The phrase FOR EVER, both in the Old Testament and in the New Testament, variously denotes *a relative eternity* and *a posi-*

tive eternity. Which of the two is meant in any particular passage, can only be determined by the context. Hence, even if a promise of infallibility for ever had been made to the apostles, I should have in no way felt myself *bound* to extend it as the Inquirer would extend *it:* I should have thought myself quite at liberty to understand the phrase as importing no more than *a relative eternity;* that is to say, *an eternity confined to the life-time of the apostles,* like the service FOR EVER of the attached slave, who under the law of Moses, should refuse emancipation. *Exod.* xxi. 6.

(2.) But, in truth, I believe that the Inquirer is perfectly right in his interpretation of the phrase FOR EVER, as it occurs in *John* xiv. 16. I am clearly of opinion, that it there denotes *a positive eternity:* whence I am clearly of opinion, that the promise associated with it extends far beyond the apostolic age, down to the very end of the world. Here however it is, that the Inquirer's premises are not stated with complete accuracy. What is the promise associated with the phrase FOR EVER? The Inquirer replies, *a promise of guidance into all truth, which doubtless is equivalent to a promise of infallibility.* Thus answers the Inquirer: and, from the whole tenor of his communication, I feel quite sure, that he answers with the Christian guilelessness of perfect integrity. But, honourable and upright as I believe him to be, he will find, if he examine the passages

afresh, that his reply is inaccurate. The promise associated with the phrase FOR EVER, is not *a promise of infallibility*, but *a promise of the perpetual abidance of the Holy Spirit with the faithful of all ages in his blessed capacity of an advocate or a comforter*. Thus runs the promise associated with the phrase FOR EVER: respecting *infallibility* it is altogether silent. Doubtless, in our Lord's discourse, there is a promise of infallibility: but *that* promise is NOT set forth in the text which contains the phrase FOR EVER. The promise of infallibility is set forth in texts, wherein we shall vainly seek the phrase *in question*: and the whole context demonstrates, that such promise is *exclusively limited* to the apostles.

"The Comforter, which is the Holy Ghost, whom the Father will send in my name, he shall teach you all things, and bring all things to your remembrance whatsoever I have said unto you." *John* xiv. 26.

Here, no doubt, is a promise of infallibility: but, by the very terms in which it is conveyed, all, save the apostles, are excluded. The persons to whom it is made, are described as those to whom Christ had *personally* spoken. Whatever the Lord *said to those* persons, the promise runs, that the Spirit should *unerringly* bring it to their *remembrance*: and to those same persons it is further promised, that the Spirit should teach them all things. Now such language of necessity

excludes all, save those to whom Christ had *personally* spoken: and, even of those who had *personally* heard him, the promise, by the very terms of the address, is limited to *the apostles then at supper with him.* Accordingly, into *this* promise the inapplicable phrase FOR EVER is not introduced.

"I have yet many things to say *unto you, but* ye cannot bear them now. Howbeit, when he the Spirit of truth is come, he will guide you into all truth.—*John* xvi. 12, 13.

Here again, no doubt, is a promise of infallibility: *but here again, as before, it is* clearly limited to the apostles. Those holy men are distinctly and exclusively marked out by the sentence; "I have many things to say unto you, but YE cannot bear them NOW." And, accordingly, the inapplicable phrase FOR EVER, is no more introduced into *this* promise than into its predecessor.

On the whole it appears, that the Inquirer has joined texts together, which have no sort of mutual connexion. The Holy Spirit, in his capacity of an advocate or comforter, is equally necessary to the church in *all* ages. Hence, the extent of the promise is equal to the necessity of the gracious ordinary influence of the Spirit. "I will pray the Father: and he shall give you another Comforter, that he may abide with you FOR EVER." But infallibility is limited to those, who are described

as the twelve foundations of the holy city.—*Rev.* xxi. 14. Hence, no intimation is given, that this infallibility should extend beyond the term of their own natural lives.

In fact, if any such intimation *had* been given, Christianity could not have been defended against the then triumphant objections of infidelity: for *the prophecy* would have been falsified by *the event*; and nothing can resist an argument built upon *incontrovertible matter of fact.* If the catholic church, however we choose to understand the expression, had been *infallible* in her decisions, there never could have been in them *any contradictoriness or variation.* Whereas, the truth is, according to the most just observation of Chillingworth, "There have been popes against popes; councils against councils; councils confirmed by popes, against councils confirmed by popes; lastly, the church of some ages, against the church of other ages." These are *naked historical facts:* and, so far as I can see, they are wholly irreconcilable with the theory of infallibility. Happily, no such theory is propounded in Scripture. If it *were,* I perceive not what answer could be given to an *infidel*: for, in that case, most assuredly, *a scriptural promise* and *an historical fact,* would be completely at variance.

3. His third argument rests upon the supposed difficulty on the part of a protestant, to explain, consistently with his own principles, the

texts, in which the church is called *the pillar and ground of the truth*, and in which Titus receives power to *rebuke with all authority*.—1 Tim. iii. 15. —Titus, ii. 15.

When the Inquirer shall have demonstrated, that by *the pillar and ground of the truth*, is meant the church of Rome, to which Timothy of Ephesus then owed and paid canonical obedience, *his* argument shall carry the weight which it is capable of carrying. Meanwhile, it might be sufficient to say, that these texts *cannot* establish the doctrine of Infallibility, with regard either to the catholic church or to the Latin church, in the teeth of *absolute matter of fact*. But, in truth, even independent of *facts*, I certainly cannot discern in the *texts*, any proof of the church's infallibility. It may be doubted, as many *have* doubted, whether, in the real construction of the Greek, the church can be at all intended by *the pillar and ground of the truth:* and, even if it *be* intended, still the circumstance of its being generally described, as the supporter of evangelical truth, can scarcely, I think, demonstrate its infallibility. The church, in one part or other of the world, may be the supporter of sound doctrine, agreeably to a promise of Christ already considered: but I *see* not, how its infallibility is thence demonstrated. With respect to the commission of Titus, it simply gives the just authority of a bishop: it proves not the infallibility of the church.

does it not seem as if infallibility was tacitly confessed to be a *Statio* MALE *fida carinis?* Like the Inquirer, my object is the attainment of truth. Let Dr. Doyle or any of his brethren *prove* the infallibility of his church: and I pledge myself to immediate submission. The Inquirer, I am sure, will not demand from me acquiescence WITHOUT proof. Accept, sir, my best thanks for the room which you have so long granted to

QUIDAM.

END.

Edwards and Savage, Printers, Cork.

4. The Inquirer's fourth argument is built upon what Christ says relative to the Scribes and Pharisees. These persons "sit in Moses' seat: all therefore, said our Lord, whatsoever they bid you observe, that observe and do."—*Matt.* xxiii. 2, 3. Now, according to the Inquirer, Christ did not refer the people to the written law, because they might wrest it to their own destruction. He therefore sent them to its commissioned expositors. But, if this were the case under the Law, much more under the Gospel: for Christ has appointed *pastors and teachers*, that the people *may be no more tossed to and fro, and carried about with every wind of doctrine.*

Pastors and teachers are very useful in their appointed sphere: but I can with difficulty believe, that Christ and his apostles recommend that blind submission to sacerdotal teaching, which is inculcated in the church of Rome. Does the Inquirer suppose, that, when Christ told the people to observe and do whatsoever the Pharisees bid them observe, he charged them to abide by those traditions, which he himself stigmatized as the mere commandments of men subversive of the commandments of God? Can the Inquirer tell me, how the people were to distinguish the traditionary commandments of men from the genuine commandments of God, if, omitting the perusal of Scripture, they were bound to abide by whatever the Pharisees chose to tell them? Is the Inquirer

able to reconcile a supposed command of implicit obedience to the dictation of the Scribes and Pharisees with our Lord's assertion, that those persons were blind leaders of the blind? Can he moreover harmonize *his* view of Christ's language with the old inspired command, that all the Israelites should be diligent *in the* study of the Law? If he cannot do this, I am sure, *that*, with his wonted excellent temper, he will freely acknowledge the irrelevancy of his present citations.

But he asks, "How can those men, who lie in wait to deceive, be known or avoided in protestant *countries where no man is accountable* to any tribunal for his religious notions?"

In reply, I ask him, how are deceivers to be more certainly known or avoided in popish countries, where religious and scriptural inquiry is strictly forbidden? The authoritative exclusion of all doctrine, save that of the Latin church, does not *prove*, either that the doctrine of the Latin church is the truth, or that her priests are not men who lie in wait to deceive. In the *abstract*, the doctrine may be true or it may be false, and the priests may be deceivers or they may not be deceivers: but, in *the concrete*, the authoritative *establishment* of such doctrine, and the authoritative *exclusion* of all other doctrine, can never demonstrate the *truth* of Latin doctrine and the *honesty* of Latin priests. How then is the Inquirer more safe from error than myself?

I see not what answer he can make, save an adduction of his church's infallibility. Now I will allow this to be a perfectly valid answer, whenever such infallibility shall have been demonstrated: but, until that be done, I am at a loss to perceive the force of the Inquirer's reasoning against protestantism. In the very nature of things, he has no better means of ascertaining the truth, nor is he more free from liability to error, than myself or any other person. If our several communions be alike fallible, how can the Inquirer stand upon higher or firmer ground than Quidam?

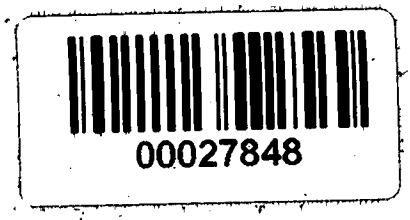
5. The Inquirer thinks, however, in what constitutes his fifth argument, that the doctrine of the Romanists, relative to an infallible church, is more reconcilable with the providence and watchful care which our Saviour is supposed to exercise over the people whom he has redeemed, than the doctrine of the protestant.

Though the Inquirer has chosen "the high *priori* road," he will not, I am sure, lay any undue stress upon such an argument. When fairly put, it runs as follows:—

A particular line of conduct on the part of God, is judged by an excellent and conscientious Latin to be most *probable*. THEREFORE such line of conduct has *certainly* been pursued by God.

I will say nothing more respecting this final argument. It has been propounded, I doubt not, with entire honesty of intention. With equal

honesty, I have thrown it into its regular syllogistic form. The Inquirer's concluding remark is perfectly just: and most fully do I assent to it. "It is impossible for a Roman catholic honestly to disbelieve one article of his faith, until he is first convinced that there does not exist a visible infallible defining authority, established by Christ to interpret his law." *Certainly* he must, *in* common reason, believe every article taught by his church, so long as he believes that church to possess an infallible defining authority. This, no doubt is *quite* clear. But the question is, how far it is *rational to believe the infallibility of* the Latin church, merely because the Latin church, without a shadow of proof, *claims* to be infallible. As I have again and again remarked, the doctrine of asserted infallibility is the very nucleus of the dispute between the Romanist and his opponent. Is it possible, that the Inquirer can admit the infallibility of his church, without the slightest proof, that she really *is* infallible? If she be *indeed* infallible, surely the matter must be capable of a rational moral demonstration. Yet the Inquirer cannot but observe, that when I call for this demonstration from Dr. Curtis, Dr. Doyle, Dr. Coppinger, or any other Latin gentleman who may choose to come forward; they all shrink from the question, and deem a prudent reserve the most advisable. What can he think of this circumstance? If I may parody your Cork motto,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